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Tuesday, September 3, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, September 3, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Noted absent at first roll call:

Supervisors Bierman, Brown - 2.

Quorum present.

Supervisor Bierman, on official leave of absence.

Supervisor Brown excused. (See infra.)

Supervisor Brown Excused

The Clerk announced that Supervisor Brown requested to be excused from attendance in order to attend the funeral of a family member.

Supervisor Katz, seconded by Supervisor Teng, moved to excuse Supervisor Brown from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journals of Proceedings for Monday, July 29 and August 5, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Presentation of Guests
Suspension of the Rules
Presentation Made

Supervisor Katz introduced and welcomed the Honorable, Senator Milton Marks and his wife, Carolene, to the Board's Chambers.

Supervisor Katz, seconded by Supervisor Kaufman, moved to suspend Section 4, Item 25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Senator Marks.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

On behalf of the Board of Supervisors, President Shelley presented Senator Marks with a Certificate of Honor in recognition of his accomplishments on the occasion of his retirement from public service as State Senator.

Senator Milton Marks thanked the Board of Supervisors and briefly commented on his political life.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could make a presentation.

Presentation of Guests
Suspension of the Rules
Presentation Made

Supervisor Shelley introduced and welcomed Joe and Larry Mazzola.

Supervisor Shelley, seconded by Supervisor Kaufman, moved to suspend Section 4, Item 25 of the Rules of Order of the Board of Supervisors for the purpose of making a presentation to Joe Mazzola.

No objection and motion carried.

On behalf of the Board of Supervisors, Supervisor Shelley presented a replica of a resolution honoring Joe Mazzola and dedicating the Plumbers and Pipefitters (Local 38) Union Hall at 1621 Market Street as "Joe Mazzola Place". (See infra.)

The President resumed the Chair.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport Lease Modification, FAA]
Ordinance approving modification of lease number DFTA08-95-L-14707 between Federal Aviation Administration and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-9, Ordinance No.

Passed for second reading.

[Jenice Cole v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Jenice Cole against the City and County by payment of $12,000. (City Attorney)

File 45-96-40, Ordinance No.

(Municipal Court No. 114-424.)

Passed for second reading.

[Edward Everett-Ronning v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Edward Everett-Ronning against the City and County by payment of $30,000. (City Attorney)

File 45-96-41, Ordinance No.

(Superior Court No. 965789.)

Passed for second reading.

[Tracy Bridgewater v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Tracy Bridgewater against the City and County by payment of $18,000. (City Attorney)

File 45-96-42, Ordinance No.

(Superior Court No. 971-635.)

Passed for second reading.

[Gary Sargent v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Gary Sargent against the City and County by payment of $20,000. (City Attorney)

File 45-96-43, Ordinance No.

(U.S. District Court No. C94-3551.)

Passed for second reading.

[Margie Frye v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Margie Frye against the City and County by payment of $75,000. (City Attorney)

File 45-96-44, Ordinance No.

(Superior Court No. 967-971.)

Passed for second reading.

[Stewart v. CCSF, et al.]
Ordinance authorizing settlement of litigation of James Stewart against the City and County by payment of $178,380.09. (City Attorney)

File 45-96-45, Ordinance No.

(USDC, Northern District of California Case No. C90-3206 CAL.)

Passed for second reading.

[Silberberg v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Silberberg against the City and County by payment of $115,000. (City Attorney)

File 45-96-46, Ordinance No.

(USDC, Northern District of California Case No. C95-2548 FMS.)

Passed for second reading.

[Everette et al. v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Everette against the City and County by payment of $95,000. (City Attorney)

File 45-96-47, Ordinance No.

(USDC, Northern District of California Case No. C95-0453 SI.)

Passed for second reading.

[Coming Up, Inc. et al. v. CCSF, et al.]
Ordinance authorizing settlement of the cross-claim brought by Richard Hongisto against the City and County for reimbursement of costs of defense in the action Coming Up, Inc. et al. v. City and County, et al. by payment of $140,000. (City Attorney)

File 45-96-48, Ordinance No.

(U.S. District Court No. C92-3714, Court of Appeals Nos. 95-15689 and 95-15903.)

Passed for second reading.

[U.S.A. (Davis) v. CCSF]
Ordinance authorizing partial settlement of litigation of U.S.A. (Davis) v. City and County, by payment of $161,731.15. (City Attorney)

File 45-96-49, Ordinance No.

(USDC, Northern District of California, Consolidated Case Nos. C84-1100 MHP, C84-7089 MHP.)

Passed for second reading.

[CCSF v. Giants of Tampa Bay Limited, et al.]
Ordinance authorizing settlement of litigation of City and County against Giants of Tampa Bay Limited, et al. by payment of $349,251. (City Attorney)

File 46-96-10, Ordinance No.

(Monterey Superior Court No. 94974.)

Passed for second reading.

[Francie Moeller et al., v. CCSF]
Ordinance authorizing settlement of the unlitigated claim of Francie Moeller v. City and County by payment of $345,700. (City Attorney)

File 48-96-28, Ordinance No.

Passed for second reading.

Adopted

[General Motors v. CCSF, Extend 5-Year Time Limit]
Resolution authorizing the City Attorney to enter into a stipulation to extend the five-year time limit within which action must be brought to trial in General Motors Corporation v. City and County of San Francisco, Superior Court No. 937-044, in order to allow the City Attorney time to research further defenses that were not asserted by the City of Los Angeles in General Motors Corporation v. City of Los Angeles, 35 Cal.App.4th 1736 (1995). (City Attorney)

File 45-95-34.1, Resolution No. 743-96

Adopted.

[Gift Acceptance, Police Department]
Resolution authorizing the Chief of Police to accept, on behalf of the Police Department, the gift of two TRAK (Technology to Recover Abducted Kids) computer systems from Social Tech, Inc. (Supervisor Alioto)

File 38-96-13, Resolution No. 759-96

Adopted.

[Gift Acceptance, Police Department]
Resolution authorizing the Police Department to accept the gift of a 15 passenger 1996 van, valued at $25,000. (Police Commission)

File 38-96-15, Resolution No. 761-96

Adopted.

[Gift Acceptance, Police Department]

Resolution authorizing the Police Department to accept the gift of a 35 foot pole, support cables, and PG&E labor, valued at more than $5,000 for use at the Wilderness Adventure Youth Program's Glen Park Adventure Ropes Course. (Supervisor Shelley)

File 38-96-16, Resolution No. 762-96

Adopted.

[Gift Acceptance, S.F. Public Library]
Resolution authorizing the Public Library to accept a donation of computer system software and workstation licenses valued at $186,956 which has been contributed by Microsoft Corporation through the Friends of the Library. (Public Library)

File 38-96-18, Resolution No. 763-96

Adopted.

[Settlement of Claim, Michael James Kutsko]
Resolution approving the settlement of the unlitigated claim of Michael James Kutsko by payment of $6,500.00. (City Attorney)

File 48-96-22, Resolution No. 766-96

Adopted.

[Settlement of Claim, Carlos Moncaleano]
Resolution approving the settlement of the unlitigated claim of Carlos Moncaleano by payment of $13,500. (City Attorney)

File 48-96-23, Resolution No. 767-96

Adopted.

[Settlement of Claim, Michael D. Koontz]
Resolution approving the settlement of the unlitigated claim of Michael D. Koontz by payment of $16,608.27. (City Attorney)

File 48-96-24, Resolution No. 768-96

Adopted.

[Settlement of Claim, Albert and Carol Tom]
Resolution approving the settlement of the unlitigated claim of Albert and Carol Tom by payment of $13,000. (City Attorney)

File 48-96-25, Resolution No. 769-96

Adopted.

[Settlement of Claim, Brian and Debra Shea]
Resolution approving the settlement of the unlitigated claim of Brian and Debra Shea by payment of $15,500. (City Attorney)

File 48-96-26, Resolution No. 770-96

Adopted.

[Settlement of Claim, Carlos Amezcua]
Resolution approving the settlement of the unlitigated claim of Carlos Amezcua by payment of $9,000. (City Attorney)

File 48-96-27, Resolution No. 771-96

Adopted.

[SDI Coverage, Classification 9258]
Resolution authorizing enrollment of classification(s) 9258 Assistant Deputy Director, Business and Finance in the State Disability Insurance Program. (Department of Human Resources)

File 89-96-6, Resolution No. 776-96

Adopted.

[State Grant, Oil Spill Prevention]
Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to apply for, accept and expend retroactively a grant of $5,000, which includes indirect costs in the amount of $699, based on twenty-two percent of salaries, from the California Department of Fish and Game, Office of Oil Spill Prevention and Response, for providing input into the San Francisco Bay/San Joaquin Delta Area Contingency Plan for oil spills; providing for ratification of action previously taken. (Supervisor Alioto)

File 146-96-12, Resolution No. 780-96

Adopted.

[Agreement, DHS - CA State Department of Social Services]
Resolution authorizing the Executive Director of the Department of Human Services to enter into an agreement with the California State Department of Social Services to perform licensing functions for the State with regard to Foster Family Homes. (Department of Human Services)

File 172-96-22, Resolution No. 782-96

Adopted.

[Medical Services Contract]
Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, with the regents of the University of California, for the provision of medical services to Medi-Cal beneficiaries by Community Public Health Services clinic physicians. (Department of Public Health)

File 172-96-23, Resolution No. 783-96

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-96-12, Resolution No. 750-96

(Stop Signs - Establish

Twenty-Second Avenue and Vicente Street, northeast and southwest corners, stopping Vicente Street traffic (makes this an all-way stop).

Twenty-Sixth and Noe Streets, northwest and southeast corners, stopping Noe Street traffic (makes this an all-way stop).

Genebern Way and Justin Drive, all corners, stopping all approaches (makes this T-intersection an all-way stop).

Plymouth Avenue, San Ramon Way, and Southwood Drive, all corners, stopping all approaches (makes this five-legged intersection an all-way stop).)

Adopted.

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-96-11, Resolution No. 751-96

(Perpendicular (90-Degree Angle) Parking - Rescind

Kansas Street, west side, between Twenty-Third and Twenty-Fifth Streets.

No Parking, 6 a.m. - 9 a.m., Monday Through Friday, Except Vehicles With Van Pool Permits - Establish

Tenth Street, west side, from 74 feet to 118 feet south of Howard Street (44-foot zone at Meter Nos. 210 and 212).

Parking Meter Area No. 3 (One-Hour Parking Time Limit, 9 a.m. - 6 p.m., Monday Through Saturday) - Rescind
Parking Meter Area No. 3 (Two-hour Parking Time Limit, 9 a.m. - 6 p.m., Monday Through Saturday) - Establish

Fillmore Street, both sides, between Lombard and Filbert Streets (extends time limit at general meters to two hours).)

Adopted.

[Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-12, Resolution No. 752-96

(Bicycle Lanes - Establish
Folsom Street, south side, between Main and Eleventh Streets.

One-Way Street - Establish
Meda Avenue, eastbound, between Delano and Otsego Avenues.

John Street, westbound, between Mason and Powell Streets.

Left Lane Must Turn Left - Establish
Right Lane Must Turn Right - Establish
North Point Street, eastbound, at The Embarcadero.

Tow-Away, No Stopping, 4 p.m. - 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 4 p.m. - 7 p.m., Monday Through Friday - Establish
Gough Street, west side, between Hayes and Linden Streets (extends evening tow-away to 7 p.m.).

Tow-Away, No Stopping, 7 a.m. - 9 a.m. and 4 p.m. - 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 7 a.m. - 9 a.m. and 4 p.m. - 7 p.m., Monday Through Friday - Establish
Gough Street, west side, between Fell and Linden Streets (extends evening tow-away to 7 p.m.).

Tow-Away, No Stopping, 7 a.m. - 9 a.m., Monday Through Friday - Establish
Geary Boulevard, south side, from Masonic Avenue to 136 feet westerly (136-foot zone).)

Adopted.

[Traffic Regulations]
Resolution enacting traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-13, Resolution No. 753-96

(No Turn on Red - Establish
Powell Street, northbound, at Clay Street.

Tow-Away, No Stopping, 7 a.m. - 7 p.m., Everyday - Establish
Powell Street, west side, from Clay Street to 45 feet northerly (45-foot zone).

Tow-Away, No Stopping, 9 a.m. - 7 p.m., Everyday - Establish
Clay Street, south side, from Stockton Street to 84 feet westerly (84-foot zone, eliminates Meter Nos. 901, 903, 905 and 909).)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Retirement]
Ordinance authorizing amendment to the contract between the City and County and the Board of Administration of the California Public Employees' Retirement System, to transfer prior service for safety members in the Adult and Juvenile Probation Departments who elected prospective membership on September 1, 1990. (Supervisors Yaki, Bierman)

File 154-96-1.1, Ordinance No. 334-96

(August 12, 1996 - Consideration continued to September 3, 1996.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Rules Committee

Passed for Second Reading as Amended

[Assessment Appeals Boards]
Ordinance amending Administrative Code, imposing notice, agenda, public comment, and meeting obligations on the Assessment Appeals Boards. (Sunshine Ordinance Task Force)

File 97-96-27, Ordinance No.

(Adds Section 2B.20.)

Supervisor Shelley, seconded by Supervisor Leal, moved to amend page one, line 21 by deleting the phrase "the specific topic to be considered" and inserting "the purpose of the hearing"; amend page two, lines one and two by deleting the phrase, "and before and after the parties present their case".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

The President resumed the Chair.

Finally Passed

[Lead Hazard Reduction]
Ordinance amending Health Code, concerning San Francisco Lead Hazard Reduction Citizens Advisory Committee by reducing its membership from 23 to 21 members by deleting representatives from the Department of Public Health and the insurance industry. (Supervisors Shelley, Teng)

File 118-96-5, Ordinance No. 335-96

(Amends Section 1608.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

NEW BUSINESS

Recommendation of Select Committee on Charter Implementation

Passed for Second Reading

[Former Charter Provisions]
Ordinance amending Administrative Code, making necessary changes to conform to the 1996 Charter and repealing various former charter sections; relating to Recreation and Park Department executives, Library Commission, Social Services Commission, Director of Social Services, functions and duties of the Department of Social Services; Public Utilities Commission, Public Utility Department executives, Public Utility Department legal proceeding, acquisition of Public Utilities; Fine Arts Museums executives and employees, Fine Arts Museums compliance with gifts and donations; Asian Art Museum powers and duties, Asian Art Museum executives, Asian Art Museum compliance with gifts and donations; and the Academy of Sciences facilities. (Supervisor Kaufman)

File 97-96-19.4, Ordinance No.

(Adds Sections 2A.111, 2A.130, 2A.131, 2A.132, 2A.133, 2A.134, 2A.150, 2A.155, 2A.156, 2A.160, 2A.161, to codify Sections 3.552, 3.591, 3.592, 3.596, 3.597, 3.598, 3.601, 3.621, 3.623, 3.641 and 3.642 of the 1932 Charter;

Repeals former Charter Sections 3.551, 3.560, 3.570, 3.571, 3.572, 3.590, 3.593, 3.594, 3.599, 3.622, 3.624, 3.631, 3.632, 3.634 and 3.640.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Wage Freeze Litigation, Locals 3 and 718]
Ordinance authorizing settlement of the 1993-94 and 1994-95 wage freeze litigation: Operating Engineers, Local 3, et al. v. City and County, and Glaziers, Local 718, et al. v. City and County by payment of $75,406. (City Attorney)

File 45-96-50, Ordinance No.

(Superior Court Case Nos. 953-407 and 962-366 respectively.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[MOU, Building Inspectors, Amendment No. 1]
Ordinance adopting and implementing the provisions of Amendment No. 1 to the Memorandum of Understanding between the Building Inspectors Association and the City and County providing that all covered employees be placed into full retirement contribution status effective two pay periods after approval of this ordinance by the Mayor. (Department of Human Resources)

File 93-96-28, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Prohibiting Contracting with the City]
Ordinance amending Administrative Code, (Officers and Employees), to prohibit members of Boards and Commissions from contracting with the City and County. (Mayor, Supervisor Shelley)

File 97-96-20, Ordinance No.

(Adds Section 16.980.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Official Host -- South Africa]
Ordinance amending Administrative Code, by repealing regulation which bars the expenditure of City funds to host an official or representative of South Africa. (City Attorney)

File 97-96-43, Ordinance No.

(Repeals Section 1.34.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Affinity Credit Card Program]
Ordinance authorizing the City Administrator to negotiate directly with the San Francisco Convention and Visitors Bureau, without competitive bidding, for the development and operation of the San Francisco Affinity Credit Card Program and implementation thereunder, including the selection by the San Francisco Convention and Visitors Bureau of private companies providing services in connection therewith. (Supervisor Bierman)

File 186-96-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Adopted

[Prop J Contract, Victim Witness Services]
Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for a lower cost than similar work services performed by City and County employees, retroactive to July 1, 1996. (District Attorney)

File 25-96-17, Resolution No. 754-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Airports Administration]
Resolution authorizing retroactively, the Airports Commission to seek funds for a CalTrain-SFO Shuttle from the Bay Area Air Quality Management District under AB 434 Funds, Clean Air Act legislation, for

the 1997 service year; waiving indirect costs. (Supervisor Leal)

File 27-96-10, Resolution No. 755-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

From Government Efficiency and Labor Committee
Without Recommendation

Consideration Continued

[Federal Grant - Airport]
Resolution authorizing Airports Commission to apply for, accept and expend grant of $9,892,664 from Federal Aviation Administration for assistance in improvements at the Airport (Airport Improvement Project No. 96-01); placing $7,412,664 on reserve. (Airports Commission)

File 27-96-11, Resolution No. 756-96

Supervisor Yaki, seconded by Supervisor Ammiano, moved to continue consideration to September 9, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Psychiatric Facilities]
Resolution designating certain facilities as evaluation and treatment facilities; rescinding Resolution Numbers 588-94 and 47-70 setting forth previous designations; and authorizing the Deputy Director for Mental Health Services to enter into agreements with said facilities. (Department of Public Health)

File 30-96-12, Resolution No. 756-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Gift Acceptance, Recreation and Park]
Resolution accepting one gift (Tractor) valued at $7,045.33, for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-96-14, Resolution No. 760-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Reimbursement to Employees]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (Government Efficiency and Labor Committee)

File 51-96-1.1, Resolution No. 772-96

(One claim, total cost $1,433.14.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Reimbursement to Employees]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (Government Efficiency and Labor Committee)

File 51-96-2, Resolution No. 773-96

(Eight claims, total cost $2,091.24.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Time Extension for Contract Award]
Resolution granting extension of time for award for a Water Department Contract No. WD-2122. (Public Utilities Commission)

File 61-96-1, Resolution No. 774-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Lead-Based Paint Hazard Reduction Program]
Resolution authorizing the Mayor, retroactively, to apply for a grant for lead-based paint hazard reduction program from the U.S. Department of Housing and Urban Development for a total amount not to exceed six million dollars ($6,000,000) for a program authorized under the Department of Housing and Urban Development, and the Omnibus Consolidated Rescissions and Appropriation Act of 1996, Public Law Number 104-134; and including $60,000 of indirect costs associated with the acceptance of these grant funds. (Supervisors Shelley, Bierman, Alioto, Kaufman, Katz, Yaki)

File 68-96-5, Resolution No. 775-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

In connection with the above item, Supervisors Kaufman, Katz, Yaki requested to be added as co-sponsors.

[Federal Grant-Asian American Arts Initiative]
Resolution authorizing the Art Commission to apply for $86,100 of National Endowment for the Arts Planning and Stabilization Grant funds to support an Asian American Arts Community Development Initiative in defining and developing the appropriate structure for facilitating more efficient resource acquisition and management, more effective audience development and productive collaborations, and better support for arts groups and artists rooted in, or growing out of San Francisco's Asian American population, waiving 2 percent associated indirect costs. (Supervisors Teng, Alioto, Kaufman, Yaki)

File 132-96-1, Resolution No. 778-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

In connection with the above item, Supervisors Kaufman, Yaki requested to be added as co-sponsors.

[Grant, Operation Revitalization - Weed and Seed]
Resolution authorizing the Chief of Police, to retroactively apply for, accept and expend funds in the amount of Four Hundred Fifty Thousand ($450,000.00), which includes indirect costs of Twenty Thousand Dollars ($20,000) and audit costs of One-Thousand Five Hundred Dollars ($1,500), for a project entitled "Operation Revitalization - Weed and Seed". (Supervisor Kaufman)

File 143-96-3, Resolution No. 779-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

In connection with the above item, Supervisor Kaufman requested to be added as sponsor.

[PIC 1996 Refugee County Plan]
Resolution approving the 1996 Refugee County Plan and authorizing the Private Industry Council, Inc. to apply for approximately $1,162,100 and to accept and expend those funds in line with the Refugee County Plan, placing $1,162,100 on reserve. (Private Industry Council)

File 156-96-1, Resolution No. 781-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Agreement, Sheriff/University of California]
Resolution authorizing retroactively, the Sheriff's Department to enter into agreement with the University of California, San Francisco, for program evaluator services, which agreement provides for dual indemnification from claims or other damages which may arise as a result of performance under said agreement. (Sheriff)

File 172-96-24, Resolution No. 784-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Exempting Contract from Prevailing Wage Requirements]
Resolution exempting from the prevailing wage provisions of Charter Section A7.204 a contract between the City and the San Francisco Conservation Corps to provide fire hazard reduction activities for the Airports Commission. (Airports Commission)

File 172-96-26, Resolution No. 785-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1995-96 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Crime Laboratory of the Police Department and the Toxicology Laboratory of the Medical Examiner. (Government Efficiency and Labor Committee)

File 39-96-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

From Government Efficiency and Labor Committee
Without Recommendation

Consideration Continued

[Prop J Contract, Prime Vendor Distribution Program]
Resolution concurring with the Controller's certification that the procurement and distribution of supplies can be practically performed for the Purchaser's Office on behalf of the Department of Public Health by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-96-11, Resolution No.

(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Teng, moved to continue consideration to September 16, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Contract]
Resolution authorizing the Director of Public Health and the Purchaser to execute an agreement between the City and County and Allegiance Healthcare Corporation for the procurement and distribution of supplies at the Department of Public Health locations; companion measure to File 25-96-11. (Department of Public Health)

File 172-96-27, Resolution No.

Supervisor Ammiano, seconded by Supervisor Teng, moved to continue consideration to September 16, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Changing Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official sidewalk widths on Church Street between 24th and Jersey Streets; Church Street between 24th and Elizabeth Streets; 24th at Church Street; Church Street between 29th and Day Streets; Day Street at Church Street; Church Street between Day and 30th Streets; Taraval Street and 22nd Avenue; 22nd Avenue between Santiago and Taraval Streets, Ocean Avenue and Ashton Avenue; and on San Jose Avenue north of Seneca Avenue, collectively known as MUNI Keystop Phase "C", and as shown on the Department of Public Works drawings labeled Q-20-446, Q-20-447, Q-20-449 through Q-20-456, inclusive and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-7, Ordinance No.

(Adds Section 1527.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Passed for Second Reading as Amended

[Take Back Your Parking Act]
((Ordinance amending Traffic Code, allowing vehicular parking in neighborhood commercial and residential areas where temporary parking restrictions are in effect because of public or private construction work and the construction work does not commence by 12:00 noon of the date noticed.))
(Supervisors Yaki, Bierman, Teng, Brown, Kaufman, Katz)

Ordinance amending Traffic Code, allowing vehicular parking in areas zoned for residential and neighborhood commercial uses where temporary parking restrictions are in effect because of public or private construction work and the construction work does not commence by 12:00 noon of the date noticed and providing that this section shall be in effect through June 30, 1997.

File 124-96-7, Ordinance No.

(Amends Section 33.1 and adds Section 33.1A.)

Supervisor Yaki, seconded by Supervisor Leal, moved an amendment of the whole entitled, "Ordinance amending Traffic Code, allowing vehicular parking in areas zoned for residential and neighborhood commercial uses where temporary parking restrictions are in effect because of public or private construction work and the construction work does not commence by 12:00 noon of the date noticed and providing that this section shall be in effect through June 30, 1997."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

Adopted

[Encroachment Permit, Hayes Street]
Resolution granting revocable permission, retroactive to July 10, 1996, to the San Francisco Opera Association to temporarily close and occupy the northerly sidewalk and a portion of the street area on Hayes Street, between Polk and Larkin Streets, for the purpose of constructing a loading dock and for loading and unloading operations for the Opera's Productions at Bill Graham Civic Auditorium (Block 812, Lot 1). (Department of Public Works)

File 10-96-6, Resolution No. 748-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Consideration Continued

[Port Parking Garage, Mid-Embarcadero Project]
Resolution endorsing, as in the public interest, of an underground parking garage of up to 350 spaces on the southern half of Block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project and requesting the Port and the Waterfront Transportation Projects Office to pursue full funding of the Mid-Embarcadero Replacement Project, including the underground parking garage; provided that parking garage construction will not begin until a major redevelopment or renovation contract for the Ferry Building has been executed. (City Administrator)

File 47-96-8, Resolution No.

At the request of Supervisor Bierman, Supervisor Leal, seconded by Supervisor Ammiano, moved to continue consideration to September 16, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Adopted

[Liquor License, 1201 Harrison Street]
Resolution opposing the request for the issuance of a Type 20 off-sale beer and wine license to Richard K. Sooy, for Sooy Inc. located at 1201 Harrison Street, and determining that it will not serve the convenience of the people of the City and County of San Francisco. (Housing and Land Use Committee)

File 223-96-25, Resolution No. 788-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Liquor License, 559 Hayes Street]
Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Ramiz T. Yousef for a store located at 559 Hayes Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-26, Resolution No. 789-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Liquor License, 701 Mission Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine, public premises license to Dirk R. Alton for Event Beverage Inc. located at the Center for the Arts, Yerba Buena Gardens, 701 Mission Street, will serve the convenience of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-29, Resolution No. 790-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Liquor License Transfer, 508 4th Street]
Resolution determining that the transfer of a Type 20 off-sale beer and wine license for Podesta Baldocchi, from 2525 California Street to 508 4th Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-32, Resolution No. 791-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

Recommendations of Rules Committee

Adopted

[Appointment]
Motion approving Mayor's appointment of Harrison Parker, Sr., D.D.S., to serve as a member of the Health Commission. (Rules Committee)

File 33-96-16

(August 12, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Proposition O Meeting]
Motion ordering the September 1996 Meeting of the Economic Vitality and Social Policy Committee of the Board of Supervisors to be held on September 18, 1996, 5:30 p.m., at the Everett Middle School, 450 Church Street. (Supervisors Teng, Katz, Brown)

File 54-96-6

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to report of delinquent charges by the Director of the Department of Building Inspection for services rendered by said Department pursuant to the provisions of Sections 102.2, 102.16, 102.17, 102.18, et. seq., and Section 110 Tables I-G, and I-K, of the Building Code, the costs thereof having accrued to abate properties with outstanding code enforcement violations.

File 41-96-3

(August 12, 1996 - Consideration continued to September 3, 1996.)

The privilege of the floor was granted to the following persons:
Michael Wall, Randy Shaw, Marie, Gene, Joseph Trevino.

From the Department of Building Inspection

Adopted

[Special Assessment Liens, Building Inspection]
Resolution confirming report of delinquent charges for (Assessment of Costs) code enforcement cases, submitted by the Director of the Department of Building Inspection for services rendered by said Department pursuant to the provisions of Sections 102.2, 102.16, 102.17, 102.18, et. seq., and Section 110 Tables I-G, and I-K, of the Building Code, the costs thereof having accrued to abate properties with outstanding code enforcement violations. (Department of Building Inspection)

File 41-96-3, Resolution No. 764-96

(August 12, 1996 - Consideration continued to September 3, 1996.)

Department of Building Inspection Director Frank Chiu presented an update to the status report dated August 30, 1996 (copy of which is contained in the office of the Clerk of the Board) and noted that the following three properties should be included as part of the recommendations contained in Section II and deleted from the report: 3172-3178 21st Street; 1311 21st Street and 377-379 Collingwood Street.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Brown, Katz - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to report of Delinquent Charges for Refuse Collection Services and Nuisance removal cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 14-96-1

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

From the Department of Public Health

Adopted

[Garbage Liens]
Resolution confirming report of delinquent charges for Refuse Collection Services and Nuisance removal cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 14-96-1, Resolution No. 749-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Brown, Katz - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to report of delinquent charges for reinspection fees by the Director of Public Health, as modified to date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-96-4

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

From the Director of Public Health

Adopted

[Reinspection Fee Liens]
Resolution confirming report of delinquent reinspection fee cost by the Director of Public Health, as modified to date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-96-4, Resolution No. 765-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Brown, Katz - 3.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution confirming Mayor's appointment of James Morales to serve as a member of the San Francisco Redevelopment Agency. (Mayor)

File 33-96-18, Resolution No. 757-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Joe Mazzola Place]
Resolution honoring Joe Mazzola and commemorating the Plumbers and Pipefitters' (Local 38) Union Hall at 1621 Market Street as an historic site and dedicating the location as "Joe Mazzola Place". (Supervisors Shelley, Alioto, Leal, Kaufman, Teng, Katz, Ammiano, Hsieh, Yaki)

File 243-96-1, Resolution No. 793-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

In connection with the above item, Supervisors Kaufman, Teng, Katz, Ammiano, Hsieh, Yaki requested to be added as co-sponsors.

Call-In Telephone System

President Shelley stated, beginning today, the Board of Supervisors will start the first testing of its new call-in telephone system during the public comment period.

Callers will call into a telephone system that has one phone in the corridor behind the Board chamber and one located on the President's desk. Calls will be answered by a person behind the chamber and then put on hold until the Board is ready for the call.

The calls will be taken during the regular public comment period and callers will have the usual three minutes in which to make their comments.

The phone number for the call-in system is (415) 554-6262. The best way to listen to meetings live is to tune to KPOO radio on 89.5 FM.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Catherine Morgan, homeless;
Female, invitation to attend Educate Driving Safely program;
Malik Rahim, Housing Authority cancellation of community event;
Stuart Smith, TCI;
Malaika Coleman, Bay Area Youth News;
Ms. Jones, water bill, night meetings;

Male speaker, Central Freeway;
Andy Sacco, school issue;
Constance Kuruppu, eviction;
David Gray, fundraising for immigrants;
Patricia Walkup, Central Freeway;
Ms Ramsetter, Sunset District;
Rodney, Democratic convention, gay/lesbian center;
Joe, Central Freeway;
Richard Johnson, Central Freeway;
James Sorria, Central Freeway;
Jim Houillion, Central Freeway, independent EIR;
Philip Faith, Central Freeway;
Mr. Anderson, Central Freeway;
Judy Edmun, Central Freeway, Housing Authority staff;
Greg Bweggemann, Central Freeway;
Joseph Trevino, South of Market public safety;
Brad Bombola, Central Freeway.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required

for adoption today. Any Supervisor may require any of these measures to go to committee.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Remove Both Decks of Central Freeway]
Resolution urging CalTrans to remove the lower deck of the Central Freeway at the same time it is removing the upper deck in August of 1996. (Supervisor Bierman)

File 85-96-1.1, Resolution No.

(August 19, 1996 - Introduced in Board for consideration on September 3, 1996.)

Supervisor Shelley, seconded by Supervisor Leal, moved to continue consideration to September 9, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

The President resumed the Chair.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[S.S. Stephen Hopkins Day]
Resolution declaring September 27, 1996 as "S.S. Stephen Hopkins Day". (Supervisors Bierman, Alioto)

File 6-96-120, Resolution No. 744-96

(August 19, 1996 - Introduced in Board for consideration on September 3, 1996.)

Adopted.

[Commending The Crisis Line for the Handicapped]
Resolution commending The Crisis Line for the Handicapped for nearly two decades of community service and volunteerism. (Supervisors Shelley, Alioto, Kaufman, Katz, Leal, Yaki)

File 6-96-121, Resolution No. 745-96

(August 19, 1996 - Introduced in Board for consideration on September 3, 1996.)

Adopted.

In connection with the above item, Supervisors Katz, Leal, Yaki requested to be added as co-sponsors.

[Commending Albert Pollack]
Resolution commending Albert Pollack for his eighty years of contributions to the City and County of San Francisco. (Supervisors Shelley, Alioto)

File 6-96-122, Resolution No. 746-96

(August 19, 1996 - Introduced in Board for consideration on September 3, 1996.)

Adopted.

[Mayoral Appointees-Hazardous Materials Committee]
Resolution encouraging the Mayor to provide the Rules Committee with two Mayoral nominees to the Hazardous Materials Advisory Committee in order to fill the open slots. (Supervisor Ammiano)

File 33-96-19, Resolution No. 758-96

(August 19, 1996 - Introduced in Board for consideration on September 3, 1996.)

Adopted.

[Display of Children's Artwork]
Resolution requesting the Arts Commission to submit a proposal to display artwork by children and youth on the hallway walls of that portion of the Veteran's Building used for offices by the Board of Supervisors during the month of October. (Supervisors Yaki, Alioto, Kaufman, Katz, Leal)

File 197-96-5, Resolution No. 786-96

(August 19, 1996 - Introduced in Board for consideration on September 3, 1996.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Marijuana for Medicine]
Resolution urging the Police Commission and the District Attorney to reaffirm their commitment to make the arrest or prosecution of those involved in the possession or cultivation for personal use of marijuana for medicinal purposes, a low priority. (Supervisors Ammiano, Alioto, Bierman, Katz, Kaufman, Leal, Yaki)

File 207-96-9, Resolution No. 787-96

(August 19, 1996 - Introduced in Board for consideration on September 3, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki requested to be added as co-sponsors.

[State Board of Equalization Records]
Resolution requesting the State Board of Equalization (the "Board") to permit San Francisco's Assessor and Controller to examine Board records pertaining to the Board's allocation of the state assessed property tax roll. (Supervisor Brown)

File 224-96-1, Resolution No. 792-96

(August 19, 1996 - Introduced in Board for consideration on September 3, 1996.)

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.17

(August 19, 1996 - Introduced in Board for consideration on September 3, 1996.)

Adopted.

[Final Map, 610 Illinois Street]
Motion approving final map of 610 Illinois Street, a Live/Work Condominium Project, being a subdivision of Lot 12 in Assessor's Block 3994, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-24

(August 26, 1996 - Referred to Board for consideration on September 3, 1996.)

Adopted.

[Final Map, 1097 Howard Street]
Motion approving final map of Lighthouse Lofts, 1097 Howard Street, a Live/Work Condominium Conversion Project, being a subdivision of Lot 42 in Assessor's Block 3731, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-25

(August 26, 1996 - Referred to Board for consideration on September 3, 1996.)

Adopted.

[Final Map, 18 Lansing Street]
Motion approving final map of 18 Lansing Street, a Residential and Live/Work Condominium Project, being a resubdivision of Lot 66 in Assessor's Block 3749, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-26

(August 26, 1996 - Referred to Board for consideration on September 3, 1996.)

Adopted.

[Citizen's Option for Public Safety]
Resolution establishing a Supplemental Law Enforcement Services Fund and Oversight Committee for the receipt and governance of State funds resulting from the adoption of Assembly Bill 3229, Chapter 134, Statutes of 1996, the Citizen's Option for Public Safety (COPS) Program. (Mayor Willie L. Brown, Jr.; Supervisor Shelley)

File 97-96-45, Resolution No. 777-96

(August 28, 1996 - Referred to Board for consideration on September 3, 1996.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

[Imperative Resolutions]

Adopted

[Commend Jack Henning]
Resolution commending Jack Henning for twenty-six years of service and dedication as the Executive Secretary-Treasurer of the California Labor Federation, AFL-CIO.

File 006-96-123, Resolution No. 747-96

Supervisors Shelley, Kaufman, Teng, Yaki, Ammiano, Hsieh, Alioto, Katz, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Bierman, Brown - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Public Information]
Ordinance amending Administrative Code Section 67.20 to exclude computer software developed by the City and County from the definition of public information. Supervisor Katz presented. Referred to Government Efficiency/Labor Committee with request it be considered at the September 10, 1996 meeting.

File 097-96-021.01.

[Relocation Assistance/Lead Administration Fund]
Ordinance amending Administrative Code by adding Section 10.117-116, creating the Relocation Assistance Lead Administration Fund, into which the fees imposed on owners of properties built or rehabilitated before 1978 will be deposited to provide for the costs of relocation assistance and administration incurred in the remediation of lead hazards in residential units occupied by a child with elevated blood lead (EBL) levels. Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto presented. Referred to Rules Committee.

File 097-96-047.

[Rent Escrow Account Program, Lead Hazards]
Ordinance amending Administrative Code by adding Chapter 74, Sections 74.1 through 74.15, authorizing the Department of Public Health to collect rents for residential units occupied by a child with lead elevated blood levels and deposit them into a rent escrow account to be used to abate lead hazards in conjunction with abatement funds available in Health Code Section 599; mandating that said escrow funds be used solely to abate the unsafe conditions arising from lead hazards upon the owners' failure to abate such hazards; providing that payment of an administrative fee equal to the reasonable cost of administration of the escrow account be paid by the owner and deposited in the account, and further providing that payment of rent into said account is not a basis for eviction. Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto presented. Referred to Rules Committee.

File 097-96-048.

[Lead Hazard Abatement Regulatory Fee]
Ordinance amending Administrative Code by adding Chapter 73, Sections 73.1 through 73.12 to establish a regulatory fee and revolving fund to subsidize the costs of tenant relocation and to recover the reasonable costs incurred by the Department of Public Health in administering the Lead Hazard Abatement Program. Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto presented. Referred to Rules Committee.

File 097-96-049.

[Lead Hazard Remediation Relocation Assistance]
Ordinance amending Administrative Code by adding Chapter 72, Sections 72.1 through 72.7, mandating relocation assistance be provided to residents vacated from residential units deemed unsafe due to the presence of lead hazards or due to the unpermitted use of a residence discovered pursuant to a lead hazard inspection, provided that the costs of short term relocation and associated administrative costs shall be paid for by the fees collected pursuant to Administrative Code Chapter 73, and further providing criminal sanction for failure to provide such assistance. Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto presented. Referred to Rules Committee.

File 097-96-050.

[Lead Remediation Work Passthroughs/Evictions]
Ordinance amending Administrative Code Section 37.3 to permit rent increases for lead hazard remediation work; to limit passthroughs of rent increases for capital improvements and operating and maintenance costs of lead hazard remediation activities to 10 per cent of a tenant's base rent and to regulate passthroughs for lead hazard remediation activities where deferred maintenance contributes to the existence of the lead hazard; and, amending Section 37.9 to create a just cause eviction for lead remediation work. Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto presented. Referred to Rules Committee.

File 109-96-003.

[NC District Construction Application Notice]
Ordinance amending Planning Code by adding Section 703.3 to establish new provisions that apply to construction in the Neighborhood Commercial Districts for permit application review, notification, appeal procedures and adherence to the Planning Code; and new provisions that apply to review of proposed demolitions in all Neighborhood Commercial Districts and making findings of consistency with the priority policies of Planning Code Section 101.1. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 115-96-009.

[Coasters, Roller Skates, Skateboards]
Draft ordinance amending Traffic Code Section 100 concerning coaster, roller skates, skateboards and similar devices, uses of and restrictions. Supervisor Ammiano presented. Referred to Housing and Land Use Committee.

File 124-96-008.02.

[Lead Housing Nuisances]
Ordinance amending Housing Code Section 401 to include dwelling units subjected to hazard reduction orders or emergency orders under Sections 1628 and 1630 of the San Francisco Health Code. Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto presented. Referred to Rules Committee.

File 125-96-001.01.

[Lead Hazards]
Ordinance amending Health Code by renumbering Sections 1600 to 1640 and adding new authority for the Director of Public Health to issue nuisance abatement orders against defined lead hazards, to require posting of lead hazard information by landlords and home improvement stores and to strengthen the Department of Public Health's management of elevated blood lead level children through treatment and public education. Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto presented. Referred to Rules Committee.

File 125-96-001.02.

Referred to Board

[Commend YWCA]
Resolution commending the YWCA's and the Chinatown Joint Steering Committee's selection of the Chinese Historical Society of America (CHSA) as the appropriate buyer for the Chinatown YWCA building and

supporting the use of city funds for assistance in acquiring the Chinatown YWCA by the Chinese Historical Society of America. Supervisors Hsieh, Teng, Yaki, Shelley, Bierman, Alioto, Katz, Ammiano, Kaufman, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 006-96-124.

[Commend Pets Are Wonderful Support]
Resolution commending the organization Pets Are Wonderful Support (PAWS) for their years of service to the City and County of San Francisco, its pets and the people they love. Supervisors Katz, Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 006-96-125.

[Commend Sunset Parkside Activities Center]
Resolution commending the Sunset Parkside Activities Center. Supervisors Shelley, Teng, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 006-96-126.

[Commend Bay Area Network of Latinas]
Resolution commending the Bay Area Network of Latinas (BANELA) on the occasion of its Hispanic Heritage Month celebration for its contributions in fostering and promoting the social, educational and economic advancement of Latina women and girls and proclaiming September 19, 1996 as "Bay Area Latinas Day" in the City and County of San Francisco. Supervisors Leal, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 006-96-127.

[Commend Walter Jebe]
Resolution commending Walter Jebe for his lifetime of service to the City and County of San Francisco. Supervisors Kaufman, Shelley, Leal, Yaki, Alioto, Katz, Ammiano, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 006-96-128.

[Commend Sitiveni Ligamamada Rabuka]
Resolution commending Major-General Sitiveni Ligamamada Rabuka, Prime Minister, Republic of Fiji and declaring September 16, 1996 "Major-General Rabuka Day" in San Francisco. Supervisors Teng, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 006-96-129.

[Commend Small Business Development Center]
Resolution commending the San Francisco Small Business Development Center and declaring September 18, 1996 as "San Francisco Small Business Development Center Day" in San Francisco. Supervisors Teng, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 006-96-130.

Referred to Committee

[Street Occupancy Fee Waiver]
Resolution waiving the standard fee under Public Works Code Section 724.7 for the temporary use and occupancy of the northerly side of Hayes Street by the San Francisco Opera's construction of a loading dock. Supervisors Bierman, Alioto presented. Referred to Housing and Land Use Committee.

File 010-96-007.

[Policy, Small Business]
Resolution establishing a policy to involve the Small Business Advisory Commission on policy issues of significance to the small business community in the City and County. Supervisor Teng presented. Referred to Economic Vitality/Social Policy Committee.

File 043-96-003.

Referred to Board

[Claim, Ursula McGuire]
Resolution approving the settlement of the unlitigated claim of Ursula Mcguire in the sum of $10,055. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 048-96-034.

Referred to Committee

[Board Meeting Schedule]
Resolution revising the regular meeting schedule of the Board of Supervisors by cancelling the meetings of December 2 and December 30, 1996. Clerk of the Board. Referred to Rules Committee.

File 054-96-007.

Referred to Board

[Grant, Public Library] Resolution authorizing the San Francisco Public Library to accept and expend funds not to exceed $10,000 from the California Council for the Humanities for symposia on San Francisco history; waiving indirect costs. Supervisors Leal, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 147-96-006.

Referred to Committee

[Affordable Housing, 980 Howard Street]
Resolution finding that the sale of property located at 980 Howard Street by the Redevelopment Agency to Todland, Inc. will provide housing for low income persons, especially for the physically disabled persons, is consistent with the plan implementing the South of Market Earthquake Recovery Redevelopment Plan required by Health and Safety Code Section 33490; finding that the consideration for the sale is not less than the fair reuse value of the property at the use and with the covenants and conditions and development costs authorized by the Disposition and Development Agreement (DDA) between the Redevelopment Agency and Todland, Inc. for the development of affordable housing located at 980 Howard Street. Supervisors Bierman, Alioto presented. Referred to Housing and Land Use Committee with request it be considered at the September 12, 1996 meeting.

File 161-96-006.

Referred to Board

[Sheridan School]
Resolution urging the San Francisco Unified School District to complete the construction of Sheridan School. Supervisor Shelley
presented. Referred to Board for Adoption Without Committee Reference Calendar September 9, 1996.

File 211-96-005.

Referred to Committee

[Medical Centers]
Resolution opposing the proposed University of California San Francisco Medical Center/Stanford merger until information regarding the full impact on employment and health care is provided to the City and the people. Supervisors Bierman, Alioto presented. Referred to Housing and Land Use Committee with request it be considered on September 12, 1996.

File 261-96-001.

Requests for Hearings:

[Taxicab Rates]
Hearing to review taxicab rates as required by Police Code Section 1137 (hearing to occur between September 1 and December 1, 1996). Clerk of the Board. Referred to Housing and Land Use Committee.

File 015-96-001.

[Continuum of Care Plan]
Hearing to consider the recently revised Continuum of Care: A Five Year Strategic Homeless Plan document. Supervisors Katz, Shelley, Ammiano presented. Referred to Economic Vitality/Social Policy

Committee with request it be considered at the October 1, 1996 meeting.

File 083-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 032-96-001.04. [Cable Television Franchise Amendments] Draft ordinance, amending Ordinance Number 105-64, as amended by Ordinances No. 528-88, 315-89, 375-90, and 42-91, by amending all sections, including deleting Section 19 and Appendices 1 through 9, renumbering Sections 20 through 24 and adding new Sections 24, 25, 26, 27, 28, 29, 30, 31, and 32 and Appendices A through H, to clarify and expand the obligations of the grantee, Television Signal Corporation. (City Attorney) Referred to Rules Committee.

File 034-96-010. [Changing Width of Sidewalk, Tompkins Avenue] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1530 changing the official sidewalk width on the south side of Tompkins Avenue between Putnam Street and Peralta Avenue, as shown on the Department of Public Works Drawing labeled Q-20-430 and making findings pursuant to Planning Code Section 101.1; companion measure to File 139-96-1.
(Department of Public Works) Referred to Housing and Land Use Committee.

File 045-96-053. [Luisa Romero v. CCSF, et al.] Ordinance authorizing settlement of litigation of Luisa Romero against the City and County of San Francisco by payment of $12,000. (Municipal Court No. 077-831). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-054. [Robert V. Weber, et al. v. CCSF] Ordinance authorizing settlement of litigation of Robert V. Weber, et al, against the City and County of San Francisco by payment of $46,500. (Superior Court No. 959-886). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-055. [Caroline Braun, v. CCSF, et al.] Ordinance authorizing settlement of litigation of Caroline Braun against the City and County of San Francisco by payment of $12,000. (Superior Court No. 970-797). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-056. [Adele Roberts, v. CCSF, et al.] Ordinance authorizing settlement of employment discrimination claim of Adele Roberts against the City and County of San Francisco, Anthony Ribera, Thomas Murphy, Frank Reed, Forrest Fulton, and Woodrwow Tennant by payment of $85,000.00. (USDC, Northern District of California No. C94-4153 CAL) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-057. [Stacy and Witbeck, Inc. v. CCSF] Ordinance authorizing settlement for Stacy and Witbeck, Inc. v. City and County of San Francisco based on Modification of Debarment Order by the Public Transportation Commission, reducing the debarment period, and the commitment by Stacy and Witbeck, Inc. to perform valuable public works at no cost to the City. (Superior Court No. 961-589). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-058. [Richard Felton v. CCSF. et al.] Ordinance authorizing settlement of litigation of Richard Felton against the City and County of San Francisco by payment of $7,500. (Superior Court No. 970-909). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-059. [Collins, Through Guardians Ad Litem, v. CCSF] Ordinance authorizing settlement of litigation of Maurice Lewis Collins and Jamaris Morgan Collins, through their Guardians Ad Litem, against the City and County of San Francisco by payment of $50,000. (Superior Court No. 962-003). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 074-96-001. [Tax Rate Setting, CCSF, FY 1996-97] Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1997. RO #96037 (Controller) Referred to Budget Committee with request it be considered at the September 4, 1996 meeting.

File 074-96-002. [Tax Rate Setting, SFUSD, FY 1996-97] Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1997. RO #96038 (Controller) Referred to Budget Committee with request it be considered at the September 4, 1996 meeting.

File 074-96-003. [Tax Rate Setting, SF Community College, FY 1996-97] Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1997. RO #96039 (Controller) Referred to Budget Committee with request it be considered at the September 4, 1996 meeting.

File 093-96-029. [MOU, Local 250-A] Ordinance implementing the provisions of a Memorandum of Understanding between the Transport Worker's Union, Local 250-A for 9163 Transit Operators and the City and County of San Francisco for the period July 1, 1996 through June 30, 2000. (Also see File 104-96-3). (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-96-046. [Municipal Railway Improvement Fund] Ordinance amending the Administrative Code to add a new Section 10.205 to establish a Municipal Railway Improvement Fund to receive, administer and

expend the funds certified by the Controller and identified in the Memorandum of Understanding between the Transport Workers Union and the City and County of San Francisco effective July 1, 1996 as funds which the City agreed to pay into the Municipal Railway Trust Fund for fiscal years 1994/95 and 1996/97 which exceed the level of permissible Municipal Railway Trust Fund payments. (Department of Human Resources) Referred to Budget Committee.

File 101-96-002.01. [Amend Annual Appropriation Ordinance, FY 1996-97] Ordinance amending the Annual Appropriation Ordinance for fiscal year 1996-97, File No. 101-96-2, Ordinance No. 297-96, giving effect to revenue changes and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 16.106, and adjusting appropriations to meet the requirements of the Airport, as a pre-requisite to levy a tax. RO #96040 (Controller) Referred to Budget Committee with request it be considered at the September 4, 1996 meeting.

File 139-96-001. [Changing Official Grade of Street] Ordinance establishing official grades pursuant to Section 190 of the Public Works Code on the west side of Peralta Avenue at Tompkins Avenue and on Putnam Street between Tompkins Avenue to 37 feet south of Ogden Avenue, as shown on the Department of Public Works Drawings labeled Q-20-431 and Q-20-432 and making findings pursuant to Planning Code Section 101.1; companion measure to File 34-96-10. (Department of Public Works) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 025-96-018. [Prop J Contract, Airport Information Booth Program] Resolution approving the Controller's certification that airport information booth services at San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by City and County employees at presently budgeted levels. (Airport) Referred to Government Efficiency/Labor Committee.

File 025-96-019. [Prop J Contract, Jail Food Services] Resolution approving the Controller's certification that county jail food service management operations for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996, than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-96-020. [Prop J Contract, Eviction Assistance Program] Resolution approving the Controller's certification that the eviction assistance program for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996, than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-96-021. [Prop J Contract, Own Recognizance Project] Resolution approving the Controller's certification that the San Francisco "O.R." Project for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996, than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-96-022. [Prop J Contract, Pre-Trial Diversion Program] Resolution approving the Controller's certification that the pretrial diversion program for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996, than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-96-023. [Prop J Contract, Security Guard Services] Resolution concurring with the Controller's certification that the weekend and holiday security guard services can be practically performed for the Department of Public Health, SFGH, Substance Abuse Services, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 032-96-001.05. [Cable Television Franchise Transfer] Draft resolution approving the transfer of control over Television Signal Corporation, San Francisco cable television franchise grantee, from Viacom Inc. to Tele-Communications, Inc. upon condition of acceptance and tender to the City and County of the franchise amendments, the guaranty, the mutual release and compensation for certain costs and expenses related to the transfer. (City Attorney) Referred to Rules Committee.

File 032-96-001.06. [Gift Acceptance, Tele-Communications, Inc.] Draft resolution authorizing the Director of Telecommunications and Information Services to accept on behalf of the City a gift in the amount of Two Hundred Thousand Dollars ($200,000.00) from Tele-Communications, Inc. (TCI) for the purchase of television production equipment for the government access channel for installation in the television studio in the New Main Library. (City Attorney) Referred to Rules Committee.

File 040-96-020. [Residential Parking Area "V", Balboa Park] Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-96-029. [Claim, United Minorities Against Discrimination] Resolution approving the settlement

of the unlitigated claim of United Minorities Against Discrimination et al., v. City and County of San Francisco, et al. by payment of $199,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-030. [Settlement of Claim, Fireman's Insurance Co.] Resolution approving the settlement of the unlitigated claim of Fireman's Fund Insurance Company (Insured: Richard Morey), by payment of $14,454.57. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-031. [Settlement of Claim, O'Brien Mechanical, Inc.] Resolution approving the settlement of the unlitigated claim of O'Brien Mechanical, Inc. by payment of $5,865.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-032. [Settlement of Claim, William R. Mathis] Resolution approving the settlement of the unlitigated claim of William R. Mathis by payment of $40,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-033. [Settlement of Claim, Andrew Wariner] Resolution approving the settlement of the unlitigated claim of Andrew Wariner by payment of $11,000.00 (City Attorney) Referred to Government Efficiency/Labor Committee.

File 061-96-002. [Contract Award Extension, MUNI Railway MR-1165] Resolution granting extension of time for awarding Municipal Railway Contract No. MR-1165 Muni Metro New Key Stops Project, Phase-B. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 138-96-008. [Grant - Victim and Witness Assistance Program] Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of $340,714, which include indirect costs of $17,036, from the Office of Criminal Justice Planning for the "Victim and Witness Assistance Program" for the twelve month period July 1, 1996 through June 30, 1997. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-96-009. [Joint Powers Agreement, Victim Witness Assistance] Resolution authorizing the District Attorney to retroactively contract for, accept and expend funds in the amount of $408,755, which include indirect costs of $8,438, which have been allocated from the State Board of Control Victims of Crime Program, an agent of the State of California, for a project entitled "Joint Powers Agreement with Victim and Witness Assistance Program" for the twelve month period July 1, 1996 through June 30, 1997. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-96-010. [Special Emphasis Victim Witness Assistance Program] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of $90,000 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Witness Assistance Program" for the twelve month period July 1, 1996 through June 30, 1997, and waiving indirect cost due to funding restraints. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 143-96-004. [State Grant, Suppression of Drug Abuse in Schools] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of One Hundred Thousand Dollars ($100,000.00), for a project known as the "Suppression of Drug Abuse in the Schools" and agreeing to provide an in-kind match in the amount of Thirty Thousand Dollars ($30,000.00). (Police Department) Referred to Government Efficiency/Labor Committee.

File 146-96-013. [Grant - State Funds, Underground Storage Tanks] Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to accept and expend, an allocation of up to $946,920, which includes indirect costs in the amount of $146,724 (based on 20% of salaries) from the State Water Resources Control Board, Division of Clean Water Programs, for local oversight cleanup activities at leaking underground storage sites funded by grant funds, and to authorize the Director of Health to execute the State Water Resources Control Board contract (No. 5-012-550), and amendments thereto on behalf of the City and County, which contract provides that the City shall indemnify, defend and hold the State harmless from any and all claims, losses, and damages accruing or resulting in connection with the City's performance of the contract; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-014. [Private Grant, Mental Health Managed Care Plan] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, to apply for retroactively and accept and expend a grant of $60,000, from the Miriam and Peter Haas Fund, to hire a consultant planner for twelve months to work with the Director of Child, Adolescent and Family Services and other managers to develop policy and programs for the mental health managed care plan; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-015. [Private Grant, Comic Relief, Inc.] Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend retroactively an augmentation to a grant of $83,500 from Comic Relief, Inc., for health, psychosocial, and clerical support services, waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 148-96-004. [Disaster Relief Funds] Resolution authorizing the Director of Public Works and other designated City and County officials to execute and file, on behalf of the City and County of San

Francisco, Department of Public Works, an application for Federal and State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the 1995 late winter storms and rescinding Resolution No. 402-95. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 172-96-030. [Diagnostic Treatment Services, Juvenile Ward] Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of action previously taken. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

File 172-96-031. [Emergency Custody, Juvenile Ward of the Court] Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for emergency custody of a juvenile ward of the Court from the County of San Francisco; providing for ratification of action previously taken. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

File 172-96-032. [Oakdale Bridge Reconstruction Project] Resolution adopting the determinations under the California Environmental Quality Act ("CEQA") and findings of General Plan conformance; authorizing the Director of Property to enter into agreements for the use of portions of real property identified as Assessor's Blocks 5320 and 5313 in connection with the reconstruction of the Oakdale Bridge; authorizing the Director of Property to compensate Gannet Outdoor Company for the loss of beneficial use of its advertising billboard during said construction project; authorizing the Director of Property to pay relocation assistance in an amount not to exceed $5,000; authorizing City officials to execute any additional agreement in connection with the project; and ratifying action previously taken in connection with the project. (Real Estate Department) Referred to Budget Committee with request it be considered at the September 11, 1996 meeting.

File 188-96-001.02. [Bernal Property Development Agreement] Resolution adopting findings based on the Final Environmental Impact Report for the Bernal Property and approving the Bernal Property Development Agreement by and between Alameda County and the City and County of San Francisco, pursuant to Charter Section 9.118. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 266-96-001. [Tax and Revenue Anticipation Notes] Resolution approving and authorizing the borrowing of funds for fiscal year 1996-1997 and the issuance and sale of City and County of San Francisco 1996-1997 Tax and Revenue Anticipation Notes therefor; approving Official Notice of Sale of such Notes and authorizing the distribution thereof; approving Notice of Intention to Sell such Notes and authorizing the publication thereof; authorizing the public sale of such Notes; approving the official statement relating to such Notes; authorizing the appointment of the paying agent in connection with the issuance of such Notes; and authorizing other official actions in connection therewith. (City Administrator) Referred to Budget Committee with request it be considered at the September 4, 1996 meeting.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yaki, that Budget Analyst work with the Controller's Office to review and examine all petty cash revolving funds and other accounts throughout City departments that only require employee signature for the expenditure of funds and to report back on the scope and necessity of such accounts.

By Supervisor Ammiano, that City Attorney review draft ordinance and prepare and approve as to form an amendment to Traffic Code Section 100 regarding coasters, roller skates, skateboards and similar devices; use of and restrictions. File 124-96-8.2.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Thomas A. Toomey, Jr. (Supervisor Shelley)
John B. Dewitt (Supervisor Shelley)
Perry Thomas, III (Supervisor Shelley)
Ed Solomon (Supervisor Shelley)
Rafe Robinson (By the entire Board)
William G. Lazar (Supervisor Hsieh)
Robert Sellman (Supervisor Leal)
Ibrihim Habash (Supervisor Ammiano)
Don Fletcher (Supervisors Ammiano, Kaufman)

File 2-96-35

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:32 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 30, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, September 9, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 9, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Leal - 1.

Quorum present.

Supervisor Leal was noted present at 2:11 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Teng, moved that the Journals of Proceedings for Monday, August 12, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Shelley requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Government Efficiency and Labor Committee

Consideration Continued

[Prohibiting Contracting with the City]
Ordinance amending Administrative Code, (Officers and Employees), to prohibit members of Boards and Commissions from contracting with the City and County. (Mayor, Supervisor Shelley)

File 97-96-20, Ordinance No.

(Adds Section 16.980.)

Supervisor Yaki, seconded by Supervisor Brown, moved to continue consideration to September 16, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Yaki - 10.

Absent: Supervisor Teng - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Monday, September 9, 1996

Consent Calendar

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport Lease Modification, FAA]
Ordinance approving modification of lease number DFTA08-95-L-14707 between Federal Aviation Administration and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-9, Ordinance No. 337-96

Finally passed.

[Jenice Cole v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Jenice Cole against the City and County by payment of $12,000. (City Attorney)

File 45-96-40, Ordinance No. 339-96

(Municipal Court No. 114-424.)

Finally passed.

[Edward Everett-Ronning v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Edward Everett-Ronning against the City and County by payment of $30,000. (City Attorney)

File 45-96-41, Ordinance No. 340-96

(Superior Court No. 965789.)

Finally passed.

[Tracy Bridgewater v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Tracy Bridgewater against the City and County by payment of $18,000. (City Attorney)

File 45-96-42, Ordinance No. 341-96

(Superior Court No. 971-635.)

Finally passed.

[Gary Sargent v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Gary Sargent against the City and County by payment of $20,000. (City Attorney)

File 45-96-43, Ordinance No. 342-96

(U.S. District Court No. C94-3551.)

Finally passed.

[Margie Frye v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Margie Frye against the City and County by payment of $75,000. (City Attorney)

File 45-96-44, Ordinance No. 343-96

(Superior Court No. 967-971.)

Finally passed.

[Stewart v. CCSF, et al.]

Ordinance authorizing settlement of litigation of James Stewart against the City and County by payment of $178,380.09. (City Attorney)

File 45-96-45, Ordinance No. 344-96

(USDC, Northern District of California Case No. C90-3206 CAL.)

Finally passed.

[Silberberg v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Silberberg against the City and County by payment of $115,000. (City Attorney)

File 45-96-46, Ordinance No. 345-96

(USDC, Northern District of California Case No. C95-2548 FMS.)

Finally passed.

[Everette et al. v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Everette against the City and County by payment of $95,000. (City Attorney)

File 45-96-47, Ordinance No. 346-96

(USDC, Northern District of California Case No. C95-0453 SI.)

Finally passed.

[Coming Up, Inc. et al. v. CCSF, et al.]
Ordinance authorizing settlement of the cross-claim brought by Richard Hongisto against the City and County for reimbursement of costs of defense in the action Coming Up, Inc. et al. v. City and County, et al. by payment of $140,000. (City Attorney)

File 45-96-48, Ordinance No. 347-96

(U.S. District Court No. C92-3714, Court of Appeals Nos. 95-15689 and 95-15903.)

Finally passed.

[U.S.A. (Davis) v. CCSF]
Ordinance authorizing partial settlement of litigation of U.S.A. (Davis) v. City and County, by payment of $161,731.15. (City Attorney)

File 45-96-49, Ordinance No. 336-96

(USDC, Northern District of California, Consolidated Cases Nos. C84-1100 MHP, C84-7089 MHP.)

Finally passed.

[Wage Freeze Litigation, Locals 3 and 718]
Ordinance authorizing settlement of the 1993-94 and 1994-95 wage freeze litigation, Operating Engineers, Local 3, et al. v. City and County, and Glaziers, Local 718, et al. v. City and County, by payment of $75,406. (City Attorney)

File 45-96-50, Ordinance No. 348-96

(Superior Court Case Nos. 953-407 and 962-366 respectively.)

Finally passed.

[CCSF v. Giants of Tampa Bay Limited, et al.]
Ordinance authorizing settlement of litigation of City and County against Giants of Tampa Bay Limited, et al. by payment of $349,251. (City Attorney)

File 46-96-10, Ordinance No. 349-96

(Monterey Superior Court No. 94974.)

Finally passed.

[Francie Moeller et al., v. CCSF]
Ordinance authorizing settlement of the unlitigated claim of Francie Moeller v. City and County by payment of $345,700. (City Attorney)

File 48-96-28, Ordinance No. 350-96

Finally passed.

[MOU, Building Inspectors, Amendment No. 1]
Ordinance adopting and implementing the provisions of Amendment No. 1 to the Memorandum of Understanding between the Building Inspectors Association and the City and County providing that all covered employees be placed into full retirement contribution status effective two pay periods after approval of this ordinance by the Mayor. (Department of Human Resources)

File 93-96-28, Ordinance No. 351-96

Finally passed.

[Official Host -- South Africa]
Ordinance amending Administrative Code, by repealing regulation which bars the expenditure of City funds to host an official or representative of South Africa. (City Attorney)

File 97-96-43, Ordinance No. 354-96

(Repeals Section 1.34.)

Finally passed.

[Affinity Credit Card Program]
Ordinance authorizing the City Administrator to negotiate directly with the San Francisco Convention and Visitors Bureau, without competitive bidding, for the development and operation of the San Francisco Affinity Credit Card Program and implementation thereunder, including the selection by the San Francisco Convention and Visitors Bureau of private companies providing services in connection therewith. (Supervisor Bierman)

File 186-96-4, Ordinance No. 356-96

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Changing Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official sidewalk widths on Church Street between 24th and Jersey Streets; Church Street between 24th and Elizabeth Streets; 24th at Church Street; Church Street between 29th and Day Streets; Day Street at Church Street; Church Street between Day and 30th Streets; Taraval Street and 22nd Avenue; 22nd Avenue between Santiago and Taraval Streets, Ocean Avenue and Ashton Avenue; and San Jose Avenue north of Seneca Avenue, collectively known as MUNI Keystop Phase "C", and as shown on the Department of Public Works drawings labeled Q-20-446, Q-20-447, Q-20-449 through Q-20-456, inclusive and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-7, Ordinance No. 338-96

(Adds Section 1527.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Housing and Land Use Committee

Finally Passed

[Take Back Your Parking Act]
Ordinance amending Traffic Code, allowing vehicular parking in areas zoned for residential and neighborhood commercial uses where temporary parking restrictions are in effect because of public or private construction work and the construction work does not commence by 12:00 noon of the date noticed and providing that this section shall be in effect through June 30, 1997. (Supervisors Yaki, Bierman, Teng, Brown, Kaufman, Katz)

File 124-96-7, Ordinance No. 355-96

(Amends Section 33.1 and adds Section 33.1A.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

Recommendation of Rules Committee

Finally Passed

[Assessment Appeals Boards]
Ordinance amending Administrative Code, imposing notice, agenda, public comment, and meeting obligations on the Assessment Appeals Boards. (Sunshine Ordinance Task Force)

File 97-96-27, Ordinance No. 353-96

(Adds Section 2B.20.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Recommendation of Select Committee on Charter Implementation

Finally Passed

[Former Charter Provisions]
Ordinance amending Administrative Code, making necessary changes to conform to the 1996 Charter and repealing various former Charter Sections; relating to Recreation and Park Department executives, Library Commission, Social Services Commission, Director of Social Services, functions and duties of the Department of Social Services; Public Utilities Commission, Public Utility Department executives, Public Utility Department legal proceeding, acquisition of Public Utilities; Fine Arts Museums executives and employees, Fine Arts Museums compliance with gifts and donations; Asian Art Museum powers and duties, Asian Art Museum executives, Asian Art Museum compliance with gifts and donations; and the Academy of Sciences facilities. (Supervisor Kaufman)

File 97-96-19.4, Ordinance No. 352-96

(Adds Sections 2A.111, 2A.130, 2A.131, 2A.132, 2A.133, 2A.134, 2A.150, 2A.155, 2A.156, 2A.160, 2A.161, to codify Sections 3.552, 3.591, 3.592, 3.596, 3.597, 3.598, 3.601, 3.621, 3.623, 3.641 and 3.642 of the 1932 Charter;

Repeals former Charter Sections 3.551, 3.560, 3.570, 3.571, 3.572, 3.590, 3.593, 3.594, 3.599, 3.622, 3.624, 3.631, 3.632, 3.634 and 3.640.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

From Government Efficiency and Labor Committee
Without Recommendation

Adopted

[Federal Grant - Airport]
Resolution authorizing Airports Commission to apply for, and accept and expend grant of $9,892,664 from Federal Aviation Administration for assistance in improvements at the Airport (Airport Improvement Project No. 96-01); placing $7,412,664 on reserve. (Airports Commission)

File 27-96-11, Resolution No. 803-96

(September 3, 1996 - Consideration continued to September 9, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Conference with City Attorney
anticipated litigation as defendant

Adopted

[Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney and the Director of Airports for the purpose of discussing the possibility of anticipated litigation against the City that may exist should the City decide to discontinue the acceptance of new federal grant funds for Airport purposes.

Supervisor Teng, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Recess

The Board recessed at the hour of 2:13 p.m. to convene in closed session.

Reconvening of the Board

The Board reconvened at 2:32 p.m.

Calling the Roll

The following Supervisors were noted present:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney and the Director of Airports for the purpose of discussing the possibility of anticipated litigation against the City that may exist should the City decide to discontinue the acceptance of new federal grant funds for Airport purposes.

The meeting was informational only and no action was taken.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Amend Annual Appropriation Ordinance, Fiscal Year 1996-97] Ordinance amending the Annual Appropriation Ordinance for fiscal year 1996-97, File No. 101-96-2, Ordinance No. 297-96, giving effect to revenue changes and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 16.106, and adjusting appropriations to meet the requirements of the Airport, as a prerequisite to levy a tax. (Controller)

File 101-96-2.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Tax Rate Setting, CCSF, Fiscal Year 1996-97]
Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1997. (Controller)

File 74-96-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Tax Rate Setting, SFUSD, Fiscal Year 1996-97]
Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1997. (Controller)

File 74-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Tax Rate Setting, SF Community College, Fiscal Year 1996-97]
Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1997. (Controller)

File 74-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Water Department Fees]
Ordinance approving a schedule of fees for short-term uses of San Francisco Water Department lands, rights-of-way, and other real properties. (Public Utilities Commission)

File 188-96-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Adopted

[Appropriations Limit, Fiscal Year 1996-97]
Resolution establishing the appropriations limit for fiscal year 1996-97 pursuant to California Constitution Article XIII B. (Controller)

File 101-96-8, Resolution No. 806-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Transfer of 1991 Ford Van]
Resolution authorizing the City and County to transfer title of a 1991 Ford Van (Equipment Number 169505) to Mount St. Joseph-St. Elizabeth. (Department of Human Services)

File 199-96-3, Resolution No. 808-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Recommendation of Housing and Land Use Committee

Refused Adoption

(Supervisor Teng dissenting in Committee.)

[Liquor License Transfer, 642 Irving Street]
Resolution approving the transfer of a Type 48 on-sale general public premise liquor license from Umbertos Restaurants, Inc., located at 141 Steuart Street, to Massoud H. Ghadjar for the Silver Comet, located at 642 Irving Street, and determining that it will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-23, Resolution No.

(July 29, 1996 - Rereferred to Committee from Board.)

Refused adoption by the following vote:

Ayes: Supervisor Hsieh - 1.

Noes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Recommendation of Rules Committee

Adopted

[Appointment]
Resolution approving the appointment of Mr. George C. Fleharty to the Board of Directors of the San Francisco Airport Improvement Corporation. (Airports Commission)

File 92-96-41, Resolution No. 805-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ernestine Weiss, underground garage;
Male speaker, pedestrian safety;
Male speaker, taxicab ballot measure.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Remove Both Decks of Central Freeway]
Resolution urging CalTrans to remove the lower deck of the Central Freeway at the same time it is removing the upper deck in August of 1996. (Supervisor Bierman)

File 85-96-1.1, Resolution No.

(September 3, 1996 - Consideration continued to September 9, 1996.)

Supervisor Bierman, seconded by Supervisor Brown, moved to continue consideration to September 30, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

[Commend YWCA]
Resolution commending the YWCA's and the Chinatown Joint Steering Committee's selection of the Chinese Historical Society of America (CHSA) as the appropriate buyer for the Chinatown YWCA building and supporting the use of city funds for assistance in acquiring the Chinatown YWCA by the Chinese Historical Society of America. (Supervisors Hsieh, Teng, Yaki, Shelley, Bierman, Alioto, Katz, Ammiano, Kaufman, Leal, Brown)

File 6-96-124, Resolution No. 795-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Commend Pets Are Wonderful Support]
Resolution commending the organization Pets Are Wonderful Support (PAWS) for their years of service to the City and County of San Francisco, its pets and the people they love. (Supervisors Katz, Ammiano, Alioto, Leal, Bierman, Yaki, Kaufman)

File 6-96-125, Resolution No. 796-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Bierman, Yaki, Kaufman requested to be added as co-sponsors.

[Commend Sunset Parkside Activities Center]
Resolution commending the Sunset Parkside Activities Center. (Supervisors Shelley, Teng, Alioto, Bierman, Katz, Leal, Yaki, Kaufman)

File 6-96-126, Resolution No. 797-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Leal, Yaki, Kaufman requested to be added as co-sponsors.

[Commend Bay Area Network of Latinas]
Resolution commending the Bay Area Network of Latinas (BANELA) on the occasion of its Hispanic Heritage Month celebration for its contributions in fostering and promoting the social, educational and economic advancement of Latina women and girls and proclaiming September 19, 1996 as "Bay Area Latinas Day" in the City and County of San Francisco. (Supervisors Leal, Alioto, Bierman, Katz, Yaki, Kaufman)

File 6-96-127, Resolution No. 798-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Yaki, Kaufman requested to be added as co-sponsors.

[Commend Walter Jebe]
Resolution commending Walter Jebe for his lifetime of service to the City and County of San Francisco. (Supervisors Kaufman, Shelley, Leal, Yaki, Alioto, Katz, Ammiano, Teng, Bierman)

File 6-96-128, Resolution No. 799-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Commend Sitiveni Ligamamada Rabuka]
Resolution commending Major-General Sitiveni Ligamamada Rabuka, Prime Minister, Republic of Fiji and declaring September 16, 1996 "Major-General Rabuka Day" in San Francisco. (Supervisors Teng, Alioto)

File 6-96-129, Resolution No. 800-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

[Commend Small Business Development Center]
Resolution commending the San Francisco Small Business Development Center and declaring September 18, 1996 as "San Francisco Small Business Development Center Day" in San Francisco. (Supervisors Teng, Alioto, Bierman, Katz, Yaki, Kaufman)

File 6-96-130, Resolution No. 801-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Yaki, Kaufman requested to be added as co-sponsors.

[Claim, Ursula McGuire]

Resolution approving the settlement of the unlitigated claim of Ursula Mcguire in the sum of $10,055. (Supervisor Kaufman)

File 48-96-34, Resolution No. 804-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

[Grant, Public Library]
Resolution authorizing the San Francisco Public Library to accept and expend funds not to exceed $10,000 from the California Council for the Humanities for symposia on San Francisco history; waiving indirect costs. (Supervisors Leal, Alioto, Bierman, Kaufman)

File 147-96-6, Resolution No. 807-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Kaufman requested to be added as co-sponsors.

[Sheridan School]
Resolution urging the San Francisco Unified School District to complete the construction of Sheridan School. (Supervisors Shelley, Bierman, Katz, Yaki)

File 211-96-5, Resolution No. 809-96

(September 3, 1996 - Introduced in Board for consideration on September 9, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Yaki requested to be added as co-sponsors.

[Final Map, 1300 Divisadero Street]
Motion approving final map of 1300 Divisadero Street, a Redevelopment Project, being a merger and resubdivision of Lots 57-60 in Assessor's Block No. 1100, and adopting findings pursuant to S.F.R.A. Commission Resolution No. 257-95. (Department of Public Works)

File 58-96-27

(August 30, 1996 - Referred to Board for consideration on September 9, 1996.)

Adopted.

[Final Map, 342-348-350 Hayes Street]
Motion approving final map of 342-348-350 Hayes Street, a Mixed-Use Condominium Project, being a merger and resubdivision of Lots 9 and 10 in Assessor's Block No. 809, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-28

(August 30, 1996 - Referred to Board for consideration on September 9, 1996.)

Adopted.

[Final Map, 2522 Octavia/1883-1885 Vallejo Streets]
Motion approving final map of 2522 Octavia Street and 1883-1885 Vallejo Street, a Residential Condominium Project, being a resubdivision of Lot 18 in Assessor's Block 568, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-29

(September 3, 1996 - Referred to Board for consideration on September 9, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kaufman, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kaufman, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Imperative Resolutions]

Adopted

[Proclaim Don't Work In The Dark Day]
Resolution proclaiming September 10, 1996 Don't Work In The Dark Day in San Francisco.

File 004-96-017, Resolution No. 794-96

Supervisors Ammiano, Bierman, Katz, Kaufman, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Commend Valerie Dorr]
Resolution commending Valerie Dorr for her outstanding service to the Department of Public Health and the citizens of the City and County of San Francisco and declaring Wednesday, September 18, 1996 as "Valerie Dorr Day" in the City and County of San Francisco.

File 006-96-134, Resolution No. 802-96

Supervisor Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Monday, September 9, 1996

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Proclaim Salvation Army Chinatown Corps Day]
Resolution proclaiming September 15, 1996 Salvation Army San Francisco Chinatown Corps Day in San Francisco. Supervisors Yaki, Hsieh, Teng, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 004-96-016.

[Commend Metropolitan Transportation Commission]
Resolution congratulating the Metropolitan Transportation Commission on its 25th Anniversary. Supervisors Hsieh, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 006-96-131.

[Commend YWCA Week Without Violence Campaign]
Resolution commending the YWCA Week Without Violence Campaign and designating October 6 through October 12, 1996 as the YWCA Week Without Violence in San Francisco. Supervisors Katz, Kaufman, Yaki, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 006-96-132.

[Commend Cine Accion]
Resolution commending Cine Accion on the occasion of its Fourth Annual Film Festival Cine Latino for its contributions in promoting Chicano/Latino film and video and proclaiming Thursday, September 19, 1996 through Sunday, September 22, 1996 as "Cine Latino Week" in the City and County of San Francisco. Supervisors Leal, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 006-96-133.

[Public Benefits to Undocumented Residents]
Resolution supporting Health Commission's Resolution Number 19-96 to continue provision of public benefits to undocumented residents under the provisions of Section 411(d) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (H.R. 3734 Welfare Reform). Supervisors Teng, Leal, Alioto, Katz, Kaufman, Yaki, Brown, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 013-96-032.03.

[Salvage Logging Rider Repeal]
Resolution urging the Clinton Administration to repeal the Salvage Logging Rider; urging the San Francisco Congressional Delegation to make the repeal of the Salvage Logging Rider a priority. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 013-96-036.

[Tobacco Products and Advertising]
Resolution supporting the Federal Food and Drug Administration's rules regulating tobacco products and advertising. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 013-96-037.

Referred to Committee

[Interim Controls, Inner Sunset Alcohol Beverage]
Resolution imposing Interim Zoning Controls to establish the Inner Sunset Alcoholic Beverage Special Use District and prohibit introduction of new establishments, or any expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages in this special use district generally bounded by Lincoln Way, Seventh Avenue, Kirkham Street and Eleventh Avenue, for an eighteen (18) month period and making determination of consistency with the priority policies of

Planning Code Section 101.1. Supervisors Teng, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 111-96-004.

[Parking Plan/Off Street Parking Fund]
Resolution urging the Department of Parking and Traffic to include the Small Business Advisory Commission in the planning process of developing a long term parking plan and developing and tracking the revenue needed for an off-street parking fund. Supervisors Ammiano, Teng, Alioto presented. Referred to Housing and Land Use Committee.

File 190-96-008.

Referred to Board

[Glen Park Canyon Traffic Management]
Resolution urging the Recreation and Park Department to strictly manage traffic in Glen Park Canyon and Glen Park Recreation Center and Playground. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 193-96-004.01.

[Glen Park Canyon Health Code Enforcement]
Resolution urging the Recreation and Parks Department to work with the appropriate City departments to strictly enforce Sections 40 and 41.12 of the Health Code concerning dog control (defecation cleanup and dogs running loose). Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 193-96-007.

Requests for Hearings:

[Recycling Program]
Hearing to consider the City's recycling programs for its departments. Supervisor Yaki presented. Referred to Government Efficiency/Labor Committee.

File 057-96-004.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar September 16, 1996.

File 030-96-001.18.

Referred to Committee

[Off-site Meeting]
Motion ordering the October 1996 meeting of the Select Committee on Charter Implementation of the San Francisco Board of Supervisors to be held on October 22, 1996, from 6:00 p.m. to 8:00 p.m. in the community room at the Richmond Police Station, located at 461 Sixth Avenue. Supervisor Kaufman presented. Referred to Rules Committee with request it be considered at the September 17, 1996 meeting.

File 054-96-008.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-060. [Millicent and John Rutherford v. CCSF, et al.] Ordinance authorizing settlement of litigation of Millicent and John Rutherford against the City and County of San Francisco by payment of $95,000. (Superior Court No. 969-806). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-061. [Lillian Eng v. CCSF, et al.] Ordinance authorizing settlement of litigation of Lillian Eng against the City and County of San Francisco by payment of $16,000. (Superior Court No. 964-732). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-062. [Settlement of Claim, NSF Design Team] Ordinance approving the settlement of the City's claims against members of the New Sheriff's Facility design team insured under the project errors and omissions insurance policy. (City Attorney) Referred to Budget Committee.

File 045-96-063. [CSE Insurance Company, v. CCSF] Resolution authorizing settlement of litigation of C S E Insurance Company against Debra F. Forthne, City and County of San Francisco by payment of $10,327.27. (Municipal Court No. 128-103). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 082-96-003. [Grant of Easement, County of San Mateo] Ordinance authorizing conveyance of trail easements over Water Department Peninsula Watershed to the County of San Mateo. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 101-96-009. [Appropriation, Board of Supervisors] Ordinance appropriating $102,000, Board of Supervisors, from a General Fund Reserve established for the Youth Commission for salaries, fringe benefits, travel, training, rent, other current expenses, materials and supplies, equipment purchase and services of other departments, for the creation of one (1) position for the Youth Commission, Board of Supervisors for fiscal year 1996-97; companion measure to File 102-96-3. RO #96055. (Controller) Referred to Budget Committee.

File 102-96-003. [Salary Ordinance Amendment, Board of Supervisors] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance 1996/97), reflecting the creation of one (1) position (Classification 1361 Special Assistant II) in the Board of Supervisors, Youth Commission; companion measure to File 101-96-9. (Department of Human Resources) Referred to Budget Committee.

Resolutions Referred to Committee

File 146-96-016. [Private Grant, Family Mosaic Project] Resolution authorizing the Department of Health to retroactively apply for, accept, and expend a grant of $911,622 from the Robert Wood Johnson Foundation to develop systems of managed care for all populations served by the Division of Mental Health; providing for ratification of action previously taken, and waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-017. [State Grant, Statewide Suicide Prevention Training] Resolution authorizing the Department of Public Health, Division of Mental Health Services, to retroactively apply for, accept and expend a grant of $100,000, which includes indirect costs in the amount of $10,000, based on 10% of the total award from the State Department of Mental Health to develop a statewide suicide prevention training package that will be used in the training of health and mental health practitioners to provide suicide prevention, early intervention and postvention services and education to the adult, older adult, and children populations in California; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-018. [Private Grant, Herpes Surveillance Project] Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of $40,000 from the Glaxo Wellcome Company for participation in the Surveillance for Acyclovir Resistant Herpes Simplex Virus Pilot Project; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 147-96-005. [Federal Grant, Technology in Education Program] Resolution authorizing the San Francisco Public Library to apply for, accept and expend approximately $200,000 per year for five years for a maximum of $1,009,302 as part of a collaboration with the Unified School District, to be awarded by the United States Department of Education, Challenge Grant for Technology in Education Program; waiving indirect costs. (Public Library) Referred to Government Efficiency/Labor Committee.

File 172-96-033. [Medical Services Contract] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, with the Regents of the University of California, for the provision of services specified as necessary by the California Children Services (CCS) for Community Level Neonatal Intensive Care designation. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that City Attorney provide detailed report documenting the legal fees and expenses expended by attorneys for the San Francisco Giants for their work in the deal to keep the Giants in San Francisco.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Bill Hestor (By the entire Board)
Steven W. Draheim (Supervisor Leal)

File 2-96-36

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:40 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 30, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor

Monday, September 16, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 91

Number 37

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 16, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Hsieh - 1.

Quorum present.

Supervisor Hsieh was noted present at 2:36 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Yaki, moved that the Journal of Proceedings for Monday, August 19, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Presentation of Guests
Suspension of the Rules
Presentation Made

Supervisor Katz, seconded by Supervisor Yaki, moved to suspend the Rules of Order of the Board of Supervisors for the purpose of presenting a certificate of honor to the organization Youth Making A Change (Y-MAC) and to grant privilege of the floor to the youths present today.

No objection and motion carried.

On behalf of Y-MAC, William Walker thanked the members of the Board of Supervisors who participated in the Youth Vote'96 program. (See infra.)

Racquel, representing the Mission District to the Youth Summit invited the Supervisors to come and submit their ideas.

Presentation Made

Supervisor Alioto, on behalf of author, John Brucato, presented each Supervisor with an autographed copy of "A Sicilian in America".

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Alioto requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Government Efficiency and Labor Committee

Adopted as Amended

[State Grant, Suppression of Drug Abuse in Schools]
Resolution authorizing the Chief of Police to retroactively apply for, accept and expend funds in the amount of One Hundred Thousand Dollars ($100,000.00), for a project known as the "Suppression of Drug Abuse in the Schools" ((and agreeing to provide an in-kind match in the amount of Thirty Thousand Dollars ($30,000.00))). (Supervisor Alioto)

File 143-96-4, Resolution No. 838-96

Supervisor Alioto, seconded by Supervisor Ammiano, moved to amend title, page one, lines five and seven and page two, lines seven and eight by deleting the phrase, "and agreeing to provide an in-kind match in the amount of thirty thousand dollars ($30,000.00)";

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Supervisor Alioto, seconded by Supervisor Katz, moved to amend page two, line four, by changing "$6,500" to $6,000".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Amend Annual Appropriation Ordinance, Fiscal Year 1996-97]
Ordinance amending the Annual Appropriation Ordinance for fiscal year 1996-97, File No. 101-96-2, Ordinance No. 297-96, giving effect to revenue changes and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 16.106, and adjusting appropriations to meet the requirements of the Airport, as a prerequisite to levy a tax. (Controller)

File 101-96-2.1, Ordinance No. 360-96

Finally passed.

[Tax Rate Setting, CCSF, Fiscal Year 1996-97]
Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1997. (Controller)

File 74-96-1, Ordinance No. 357-96

Finally passed.

[Tax Rate Setting, SFUSD, Fiscal Year 1996-97]
Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1997. (Controller)

File 74-96-2, Ordinance No. 358-96

Finally passed.

[Tax Rate Setting, SF Community College, Fiscal Year 1996-97]
Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1997. (Controller)

File 74-96-3, Ordinance No. 359-96

Finally passed.

[Water Department Fees]
Ordinance approving a schedule of fees for short-term uses of San Francisco Water Department lands, rights-of-way, and other real properties. (Public Utilities Commission)

File 188-96-4, Ordinance No. 361-96

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Isabel Pineda v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Isabel Pineda against the City and County by payment of $7,281.00. (City Attorney)

File 45-96-51, Ordinance No.

(S.F. Municipal Court No. 077-831.)

Passed for second reading.

[Robert Evans v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Robert Evans against the City and County by payment of $32,500. (City Attorney)

File 45-96-52, Ordinance No.

(U.S. District Court Case No. C95-4559 MHP.)

Passed for second reading.

[Luisa Romero v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Luisa Romero against the City and County by payment of $12,000. (City Attorney)

File 45-96-53, Ordinance No.

(Municipal Court No. 077-831.)

Passed for second reading.

[Robert V. Weber, et al. v. CCSF]
Ordinance authorizing settlement of litigation of Robert V. Weber, et al, against the City and County by payment of $46,500. (City Attorney)

File 45-96-54, Ordinance No.

(Superior Court No. 959-886.)

Passed for second reading.

[Caroline Braun, v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Caroline Braun against the City and County by payment of $12,000. (City Attorney)

File 45-96-55, Ordinance No.

(Superior Court No. 970-797.)

Passed for second reading.

[Adele Roberts, v. CCSF, et al.]
Ordinance authorizing settlement of employment discrimination claim of Adele Roberts against the City and County, Anthony Ribera, Thomas Murphy, Frank Reed, Forrest Fulton, and Woodrow Tennant by payment of $85,000.00. (City Attorney)

File 45-96-56, Ordinance No.

(USDC, Northern District of California No. C94-4153 CAL.)

Passed for second reading.

[Stacy and Witbeck, Inc. v. CCSF]
Ordinance authorizing settlement for Stacy and Witbeck, Inc. v. City and County based on Modification of Debarment Order by the Public Transportation Commission, reducing the debarment period, and the commitment by Stacy and Witbeck, Inc. to perform valuable public works at no cost to the City. (City Attorney)

File 45-96-57, Ordinance No.

(Superior Court No. 961-589.)

Passed for second reading.

[Richard Felton v. CCSF. et al.]
Ordinance authorizing settlement of litigation of Richard Felton against the City and County by payment of $7,500. (City Attorney)

File 45-96-58, Ordinance No.

(Superior Court No. 970-909.)

Passed for second reading.

[Collins, Through Guardians Ad Litem, v. CCSF]
Ordinance authorizing settlement of litigation of Maurice Lewis Collins and Jamaris Morgan Collins, through their Guardians Ad Litem, against the City and County by payment of $50,000. (City Attorney)

File 45-96-59, Ordinance No.

(Superior Court No. 962-003.)

Passed for second reading.

Adopted

[Prop J Contract, Airport Information Booth Program]
Resolution approving the Controller's certification that airport information booth services at San Francisco International Airport can be practically performed by private contractor at a lower cost than if work were performed by City and County employees at presently budgeted levels. (Airport)

File 25-96-18, Resolution No. 821-96

Adopted.

[Claim, United Minorities Against Discrimination]

Resolution approving the settlement of the unlitigated claim of United Minorities Against Discrimination et al., v. City and County, et al. by payment of $199,000. (City Attorney)

File 48-96-29, Resolution No. 829-96

Adopted.

[Settlement of Claim, Fireman's Insurance Co.]
Resolution approving the settlement of the unlitigated claim of Fireman's Fund Insurance Company (Insured: Richard Morey), by payment of $14,454.57. (City Attorney)

File 48-96-30, Resolution No. 830-96

Adopted.

[Settlement of Claim, O'Brien Mechanical, Inc.]
Resolution approving the settlement of the unlitigated claim of O'Brien Mechanical, Inc. by payment of $5,865.00. (City Attorney)

File 48-96-31, Resolution No. 831-96

Adopted.

[Settlement of Claim, William R. Mathis]
Resolution approving the settlement of the unlitigated claim of William R. Mathis by payment of $40,000.00. (City Attorney)

File 48-96-32, Resolution No. 832-96

Adopted.

[Settlement of Claim, Andrew Wariner]
Resolution approving the settlement of the unlitigated claim of Andrew Wariner by payment of $11,000.00. (City Attorney)

File 48-96-33, Resolution No. 833-96

Adopted.

[Joint Powers Agreement, Victim Witness Assistance]
Resolution authorizing the District Attorney to retroactively contract for, accept and expend funds in the amount of $408,755, which include indirect costs of $8,438, which have been allocated from the State Board of Control Victims of Crime Program, an agent of the State of California, for a project entitled "Joint Powers Agreement with Victim and Witness Assistance Program" for the twelve month period July 1, 1996 through June 30, 1997. (Supervisor Alioto)

File 138-96-9, Resolution No. 836-96

Adopted.

[Special Emphasis Victim Witness Assistance Program]
Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of $90,000 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Witness Assistance Program" for the twelve month period July 1, 1996 through June 30, 1997, and waiving indirect cost due to funding restraints. (Supervisor Alioto)

File 138-96-10, Resolution No. 837-96

Adopted.

[Grant - State Funds, Underground Storage Tanks]
Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management, to accept and expend, an allocation of up to $946,920, which includes indirect costs in the amount of

$146,724 (based on 20% of salaries) from the State Water Resources Control Board, Division of Clean Water Programs, for local oversight cleanup activities at leaking underground storage sites funded by grant funds, and to authorize the Director of Health to execute the State Water Resources Control Board contract (No. 5-012-550), and amendments thereto on behalf of the City and County, which contract provides that the City shall indemnify, defend and hold the State harmless from any and all claims, losses, and damages accruing or resulting in connection with the City's performance of the contract; providing for ratification of action previously taken. (Department of Public Health)

File 146-96-13, Resolution No. 839-96

Adopted.

[Private Grant, Mental Health Managed Care Plan]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse, to apply for retroactively and accept and expend a grant of $60,000, from the Miriam and Peter Haas Fund, to hire a consultant planner for twelve months to work with the Director of Child, Adolescent and Family Services and other managers to develop policy and programs for the mental health managed care plan; waiving indirect costs and providing for ratification of action previously taken. (Supervisor Alioto)

File 146-96-14, Resolution No. 840-96

Adopted.

[Private Grant, Comic Relief, Inc.]
Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend retroactively an augmentation to a grant of $83,500 from Comic Relief, Inc., for health, psychosocial, and clerical support services, waiving indirect costs. (Department of Public Health)

File 146-96-15, Resolution No. 841-96

Adopted.

[Agreement, Sheriff/Dr. George Bach-Y-Rita]
Resolution authorizing the Sheriff's Department to enter into agreement with Dr. George Bach-Y-Rita for psychiatric evaluation services, which agreement provides for dual indemnification from claims or other damages which may arise as a result of performance under said agreement. (Sheriff)

File 172-96-25, Resolution No. 844-96

Adopted.

[Business Recovery Services Contract]
Resolution approving the limitation of liability in agreement for business recovery services with International Business Machines Corporation. (Controller)

File 172-96-29, Resolution No. 845-96

Adopted.

[Diagnostic Treatment Services, Juvenile Ward]
Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of action previously taken. (Juvenile Probation Department)

File 172-96-30, Resolution No. 846-96

Adopted.

[Emergency Custody, Juvenile Ward of the Court]
Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for emergency custody of a juvenile ward of the Court from the County of San Francisco; providing for ratification of action previously taken. (Juvenile Probation Department)

File 172-96-31, Resolution No. 847-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading as Amended

[Prohibiting Contracting with the City]
Ordinance amending Administrative Code, (Officers and Employees), to prohibit members of Boards and Commissions from contracting with the City and County setting effective date of January 15, 1997. (Mayor, Supervisors Shelley, Teng)

File 97-96-20, Ordinance No.

(Adds Section 16.980.)

(September 9, 1996 - Consideration continued to September 16, 1996.)

Supervisor Shelley, seconded by Supervisor Teng, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The President resumed the Chair.

From Government Efficiency and Labor Committee
Without Recommendation

Consideration Continued

[Prop J Contract, Prime Vendor Distribution Program]
Resolution concurring with the Controller's certification that the procurement and distribution of supplies can be practically performed for the Purchaser's Office on behalf of the Department of Public Health by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-96-11, Resolution No.

(Fiscal Impact.)
(September 3, 1996 - Consideration continued to September 16, 1996.)

Supervisor Ammiano, seconded by Supervisor Katz, moved to continue consideration to September 30, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Contract]
Resolution authorizing the Director of Public Health and the Purchaser to execute an agreement between the City and County and Allegiance Healthcare Corporation for the procurement and distribution of supplies at the Department of Public Health locations; companion measure to File 25-96-11. (Department of Public Health)

File 172-96-27, Resolution No.

(September 3, 1996 - Consideration continued to September 16, 1996.)

Supervisor Ammiano, seconded by Supervisor Katz, moved to continue consideration to September 30, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Recommendation of Housing and Land Use Committee

Adopted

[Port Parking Garage, Mid-Embarcadero Project]
Resolution endorsing, as in the public interest, of an underground parking garage of up to 350 spaces on the southern half of Block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project and requesting the Port and the Waterfront Transportation Projects Office to pursue full funding of the Mid-Embarcadero Replacement Project, including the underground parking garage; provided that parking garage construction will not begin until a major redevelopment or renovation contract for the Ferry Building has been executed. (City Administrator)

File 47-96-8, Resolution No. 828-96

(September 3, 1996 - Consideration continued to September 16, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Settlement of Claim Against Partial NSF Design Team]
Ordinance approving the settlement of the City's claims against members of the new Sheriff's facility design team insured under the project errors and omissions insurance policy. (City Attorney)

File 45-96-62, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Oakdale Bridge Reconstruction Project]
Resolution adopting the determinations under the California Environmental Quality Act ("CEQA") and findings of General Plan conformance; authorizing the Director of Property to enter into agreements for the use of portions of real property identified as Assessor's Blocks 5320 and 5313 in connection with the reconstruction of the Oakdale Bridge; authorizing the Director of Property to compensate Gannet Outdoor Company for the loss of beneficial use of its advertising billboard during said construction project; authorizing the Director of Property to pay relocation assistance in an amount not to exceed $5,000; authorizing City officials to execute any additional agreement in connection with the project; and ratifying action previously taken in connection with the project. (Real Estate Department)

File 172-96-32, Resolution No. 848-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Tax and Revenue Anticipation Notes]
Resolution approving and authorizing the borrowing of funds for fiscal year 1996-1997 and the issuance and sale of City and County 1996-1997 Tax and Revenue Anticipation Notes therefor; approving Official Notice of Sale of such notes and authorizing the distribution thereof; approving Notice of Intention to Sell such notes and authorizing the publication thereof; authorizing the public sale of such notes; approving the Official Statement relating to such notes; authorizing the appointment of the Paying Agent in connection with the issuance of such notes; and authorizing other official actions in connection therewith (not to exceed $100 million). (City Administrator)

File 266-96-1, Resolution No. 850-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

From Budget Committee Without Recommendation

Passed for Second Reading

[Municipal Railway Improvement Fund]
Ordinance amending the Administrative Code, to establish a Municipal Railway Improvement Fund to receive, administer and expend the funds certified by the Controller and identified in the Memorandum of Understanding between the Transport Workers Union and the City and County effective July 1, 1996, as funds which the City agreed to pay into the Transport Workers.Union Municipal Railway Trust Fund for fiscal years 1994/95 and 1996/97 which exceed the level of permissible Transport Workers Union Municipal Railway Trust Fund payments. (Department of Human Resources)

File 97-96-46, Ordinance No.

(Adds new Section 10.205.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[MOU, Local 38, Amendment No. 2]
Ordinance amending Ordinance No. 168-96 to correct clerical errors by adopting and implementing the provision of Amendment No. 2 to the Memorandum of Understanding between the Plumbing and Pipe Fitting

Industry, Local 38 and the City and County to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-96-10.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Public Information]
Ordinance amending Administrative Code to exclude computer software developed by the City and County from the definition of public information. (Supervisors Katz, Ammiano, Yaki)

File 97-96-21.1, Ordinance No.

(Amends Section 67.20.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Prop J Contract; Paratransit Services]
Resolution concurring with the Controller's certification that paratransit services for the Public Transportation Commission can be practically performed by a private contractor at lower cost than by City and County employees; retroactive to July 1, 1996. (Public Transportation Commission)

File 25-96-16, Resolution No. 820-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Prop J Contract, Jail Food Services]
Resolution approving retroactively, the Controller's certification that county jail food service management operations for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996, than if work were performed by City and County employees. (Sheriff)

File 25-96-19, Resolution No. 822-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Prop J Contract, Eviction Assistance Program]
Resolution approving retroactively the Controller's certification that the eviction assistance program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996, than if work were performed by City and County employees. (Sheriff)

File 25-96-20, Resolution No. 823-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Prop J Contract, Own Recognizance Project]
Resolution approving retroactively the Controller's certification that the San Francisco "O.R." Project for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996, than if work were performed by City and County employees. (Sheriff)

File 25-96-21, Resolution No. 824-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Prop J Contract, Pre-Trial Diversion Program]
Resolution approving retroactively the Controller's certification that the pretrial diversion program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996, than if work were performed by City and County employees. (Sheriff)

File 25-96-22, Resolution No. 825-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Prop J Contract, Security Guard Services]
Resolution concurring retroactively with the Controller's certification that the weekend and holiday security guard services can be practically performed for the Department of Public Health, SFGH, Substance Abuse Services, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-96-23, Resolution No. 826-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Contract Award Extension, MUNI Railway MR-1165]
Resolution granting extension of time for awarding Municipal Railway
Contract No. MR-1165 Muni Metro New Key Stops Project, Phase-B. (Public Transportation Commission)

File 61-96-2, Resolution No. 834-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Grant - Victim and Witness Assistance Program]
Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of $343,850, which include indirect costs of $17,193, from the Office of Criminal Justice Planning for the "Victim and Witness Assistance Program" for the twelve month period July 1, 1996 through June 30, 1997. (Supervisor Alioto)

File 138-96-8, Resolution No. 835-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[State Grant - Exploring African-American Culture]

Resolution authorizing the City Librarian to retroactively apply for, accept and expend Library Services and Construction Act funds from the California State Library in the amount of $5,000.00. This "Exploring African-American Culture" materials grant has been awarded to the Bayview/Waden Branch Library. There are no direct or indirect costs contained in the budget of this grant. (Supervisor Alioto)

File 147-96-4, Resolution No. 842-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Grand Jury Report, Information Technology Services]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1995-96 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Information Technology Services in San Francisco Government. (Government Efficiency and Labor Committee)

File 39-96-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Grand Jury Report, Criminal Justice System, DA/PD]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1995-96 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Criminal Justice System, District Attorney and Police Department. (Government Efficiency and Labor Committee)

File 39-96-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Health, Public Safety & Environment Committee

Adopted

[Environmental Health Assessment]
Resolution endorsing an environmental health assessment research project in the Bayview Hunters Point Community. (Supervisors Yaki, Brown, Bierman, Leal, Katz, Ammiano, Kaufman, Teng, Alioto, Hsieh, Shelley)

File 30-96-11, Resolution No. 827-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Consideration Continued

[Solid Waste Siting Element and Summary Plan]
Resolution adopting the final draft Siting Element and final draft Summary Plan. (City Administrator)

File 57-96-3, Resolution No.

(Final Negative Declaration adopted and issued by City Planning on June 7, 1996.)

Supervisor Leal, seconded by Supervisor Ammiano, moved to continue consideration to September 24, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

COMMITTEE REPORTS

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading as Amended

[MOU, Local 250-A]
Ordinance implementing the provisions of a Memorandum of Understanding as amended September 16, 1996 between the Transport Workers' Union, Local 250-A for 9163 Transit Operators and the City and County for the period July 1, 1996 through June 30, 2000. (Department of Human Resources)

File 93-96-29, Ordinance No.

Supervisor Shelley, seconded by Supervisor Leal, moved to amend the memorandum of understanding concerning Item 25, Missout Prevention Program pursuant to a handwritten amendment provided by the Employee Relations Division based on negotiations between the Municipal Railway Management and the Transport Workers Union.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Ordinance title, line one and text, line nine, amended accordingly to reflect above amendment by inserting "as amended 9/16/96" after "Memorandum of Understanding".

The ordinance, with its underlying memorandum of understanding as amended, was passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

The Employee Relations Division then presented to the Clerk a revision to the memorandum of understanding in order to reflect accurately the agreement between the parties and correcting clerical errors made by the division in its original handwritten amendment as follows:

By replacing the current "b" sentence with the following new language: "b. If an operator reports late for duty without approval but does report and takes a scheduled non-overtime run, such late reports will be tracked and recorded on a rolling five month period with the disciplinary procedures up to the following:

i. First violation within a five month period - oral warning.
ii. Second violation within a five month period - written warning of suspension.
iii. Third violation within a five month period - up to 5 day suspension.
iv. Fourth violation within a five month period - up to 10 day suspension.
v. Fifth violation within a five month period - up to termination."

By adding a new section "c" to read: "c. When an operator fails to report to duty, and does not receive approval, the absence will be defined as a non-working miss-out and will be tracked and recorded on a rolling eight month period with the disciplinary procedures up to the following:

i. First violation within an eight month period - oral warning.
ii. Second violation within an eight month period - written warning of suspension.
iii. Third violation within an eight month period - up to 5 day suspension.
iv. Fourth violation within an eight month period - up to 10 days suspension.
v. Fifth violation within an eight month period - up to termination."

By renumbering the current "c" to a "d"; and

By adding new section "e" as follows: "e. The Joint Committee will work together to identify the best methods to bring Municipal Railway to full staffing as approved in the budget."

The President resumed the Chair.

Recommendation of Housing and Land Use Committee

Adopted

[Affordable Housing, 980 Howard Street]
Resolution finding that the sale of property located at 980 Howard Street by the Redevelopment Agency to Todland, Inc. will provide housing for low income persons, especially for physically disabled persons, is consistent with the plan implementing the South of Market Earthquake Recovery Redevelopment Plan required by Health and Safety Code Section 33490; finding that the consideration for the sale is not less than the fair reuse value of the property at the use and with the covenants and conditions and development costs authorized by the Disposition and Development Agreement (DDA) between the Redevelopment Agency and Todland, Inc. for the development of affordable housing located at 980 Howard Street. (Supervisors Bierman, Alioto, Teng, Brown, Katz)

File 161-96-6, Resolution No. 843-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Teng, Brown, Katz requested to be added as co-sponsors.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Male speaker, lack of heat, Sunnyside Hotel, public safety;
Michael DeCastro, oppose boxing program at St. Mary's Park;
Female speaker, ethnic makeup of cablecar drivers;
Ted Haile, support hiring more supervisors for Muni;
Leboriae P. Smoore, constitution for poor, police brutality;
Ronnie Burk, oppose direct observation therapy drug program
David Pasquarelly, oppose direct observation therapy program;
Richard Kline, meter in bus zone, use vacant city buildings to house homeless;
Dora Bellefontaine, oppose direct observation therapy program;
Michael Bellefontaine, oppose AIDS drug treatment program;
Mr. Bell, oppose direct observation therapy program;
Laura Stack, oppose AIDS drug treatment program;
Rodney, supports Budget Analyst Harvey Rose.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Shelley requested that the following two measures be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Glen Park Canyon Traffic Management]
Resolution urging the Recreation and Park Department to strictly manage traffic in Glen Park Canyon and Glen Park Recreation Center and Playground. (Supervisors Shelley, Yaki, Katz)

File 193-96-4.1, Resolution No.

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

At the request of Supervisor Shelley, referred to Rules Committee.

In connection with the above item, Supervisors Yaki, Katz requested to be added as co-sponsors.

Referred to Committee

[Glen Park Canyon Health Code Enforcement]
Resolution urging the Recreation and Parks Department to work with the appropriate City departments to strictly enforce Sections 40 and 41.12 of the Health Code concerning dog control (defecation cleanup and dogs running loose). (Supervisors Shelley, Yaki)

File 193-96-7, Resolution No.

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

At the request of Supervisor Shelley, referred to Rules Committee.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

Supervisor Katz requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Commending Youth VOTE '96]
Resolution commending the organization Youth Making a Change (Y-MAC) for their involvement in Youth Vote'96. (Supervisors Katz, Kaufman, Leal, Yaki)

File 6-96-135, Resolution No. 814-96

(September 11, 1996 - Referred to Board for consideration on September 16, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Kaufman, Leal, Yaki requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim Salvation Army Chinatown Corps Day]
Resolution proclaiming September 15, 1996 Salvation Army San Francisco Chinatown Corps Day in San Francisco. (Supervisors Yaki, Hsieh, Teng, Shelley, Alioto, Bierman, Kaufman, Leal)

File 4-96-16, Resolution No. 810-96

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal requested to be added as co-sponsors.

[Commend Metropolitan Transportation Commission]
Resolution congratulating the Metropolitan Transportation Commission on its 25th Anniversary. (Supervisors Hsieh, Alioto, Bierman, Kaufman, Leal, Katz, Teng)

File 6-96-131, Resolution No. 811-96

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Katz, Teng requested to be added as co-sponsors.

[Commend YWCA Week Without Violence Campaign]
Resolution commending the YWCA Week Without Violence Campaign and designating October 6 through October 12, 1996 as the YWCA Week Without Violence in San Francisco. (Supervisors Katz, Kaufman, Yaki, Shelley, Alioto, Bierman, Leal, Teng)

File 6-96-132, Resolution No. 812-96

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Teng requested to be added as co-sponsors.

[Commend Cine Accion]
Resolution commending Cine Accion on the occasion of its Fourth Annual Film Festival Cine Latino for its contributions in promoting Chicano/Latino film and video and proclaiming Thursday, September 19, 1996 through Sunday, September 22, 1996 as "Cine Latino Week" in the City and County of San Francisco. (Supervisors Leal, Alioto, Bierman, Kaufman, Teng)

File 6-96-133, Resolution No. 813-96

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Teng requested to be added as co-sponsors.

[Public Benefits to Undocumented Residents]
Resolution supporting Health Commission's Resolution Number 19-96 to continue provision of public benefits to undocumented residents under the provisions of Section 411(d) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (H.R. 3734 Welfare Reform). (Supervisors Teng, Leal, Alioto, Katz, Kaufman, Yaki, Brown, Bierman, Shelley)

File 13-96-32.3, Resolution No. 817-96

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

Adopted.

[Salvage Logging Rider Repeal]
Resolution urging the Clinton Administration to repeal the Salvage Logging Rider; urging the San Francisco Congressional Delegation to make the repeal of the Salvage Logging Rider a priority. (Supervisors Shelley, Bierman, Leal, Katz, Teng)

File 13-96-36, Resolution No. 818-96

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Katz, Teng requested to be added as co-sponsors.

[Tobacco Products and Advertising]
Resolution supporting the Federal Food and Drug Administration's rules regulating tobacco products and advertising. (Supervisors Alioto, Bierman, Katz, Teng, Yaki)

File 13-96-37, Resolution No. 819-96

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

Adopted.

In connection with the above item, Supervisors Katz, Teng, Yaki requested to be added as co-sponsors.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.18

(September 9, 1996 - Introduced in Board for consideration on September 16, 1996.)

Adopted.

[Naming of Pump Station]
Resolution naming the newly constructed pump station, formerly referred to as the Rankin Pump Station, the "Bruce David Flynn Pump Station". (Supervisor Ammiano)

File 200-96-8, Resolution No. 849-96

(September 11, 1996 - Referred to Board for consideration on September 16, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Imperative Resolutions]

Adopted

[Commend Reginald Smith]
Resolution commending Reginald Smith for his outstanding contributions and years of dedicated service to the citizens of the City and County of San Francisco.

File 006-96-136, Resolution No. 815-96

Supervisors Alioto, Shelley, Ammiano, Leal, Katz, Bierman, Brown, Hsieh, Kaufman, Teng, Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Commend Candace Chamberlain]
Resolution congratulating and saluting Candace Chamberlain for her two decades of outstanding work in radio.

File 006-96-137, Resolution No. 816-96

Supervisor Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

Resolutions:

[Proclaim Open Studios Month]
Resolution declaring the month of October 1996 Open Studios Month in the City and County of San Francisco. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 24, 1996.

File 004-96-018.

[Proclaim Immigrant Pride Day]
Resolution proclaiming Sunday, October 6, 1996 Immigrant Pride Day. Supervisors Yaki, Teng, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 24, 1996.

File 004-96-019.

[Municipal Railway Bus Stop]
Resolution urging the Department of Transportation and the Transportation Commission to shorten the length of the Municipal Railway bus stop on the 2600 block of San Bruno Avenue to protect food handling businesses from exhaust contamination. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 24, 1996.

File 007-96-005.

Referred to Committee

[Airport Revenue Bonds]
Resolution approving the issuance of up to $192,700,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds for the purpose of financing certain infrastructure improvements at the airport and approving the maximum interest rate thereon and approving up to $2,850,000,000 principal amount of Master Plan Bonds of the Airports Commission; approving the time for sale of Master Plan Bonds as ending December 31,2000; approving up to 19 series of Master Plan Bonds; and approving a final maturity date of the Master Plan Bonds of not later than May 1, 2030. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the September 25, 1996 meeting.

File 170-96-008.

[Liability Limitation]
Resolution approving the limitation of liability in agreement for business recovery services with International Business Machines Corporation with the Department of Telecommunications and Information Services and Office of the Assessor, AS 400 Maintenance Agreement. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee.

File 172-96-029.01.

Monday, September 16, 1996

Referred to Board

[Strawberry Organizing Campaign]
Resolution endorsing the United Farm Workers of America's California Strawberry Organizing Campaign and expressing indignation at the abuses committed against farm workers. Supervisors Teng, Ammiano, Leal Brown, Yaki, Bierman, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 24, 1996.

File 176-96-007.

Referred to Committee

[Public Employees Retirement System]
Resolution urging the Retirement System to conduct a review of the investment policies and proxy voting guidelines of the California Public Employees' Retirement System, including those concerning investing in corporations or voting for directors of corporations which follow certain guidelines. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 210-96-002.

Requests for Hearings:

[New Sheriff's Facility]
Request that the Budget Committee convene in closed session with the City Attorney to discuss the significant exposure to litigation involving the City and County that exists regarding the design for, and construction of, the new Sheriff's facility. Supervisor Hsieh presented. Referred to Budget Committee.

File 046-96-011.

[Parking Code Violations]
Hearing to consider the City's enforcement of parking laws as they relate to the Americans with Disabilities Act. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 190-96-009.

[Pleasanton Property Water Temple]
Hearing to consider the planned destruction of the City and County's water temple in Pleasanton, California. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 191-96-004.

[Unleased Dog Facilities]
Hearing to consider the availability of confined spaces in City park facilities for unleased dogs. Supervisor Leal presented. Referred to Health/Public Safety/Environment Committee.

File 193-96-008.

[High Speed Chase]
Hearing to consider the impact on public safety and the City's legal liabilities resulting from police "hot pursuit" high speed chases. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 207-96-010.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 034-96-011. [Changing Width of Sidewalk, Oakdale Avenue] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1531 changing the official sidewalk width on Oakdale Avenue between Phelps Street and Quint Street, as shown on the Department of Public Works Drawing Labeled Q-20-460, and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 045-96-064. [Santa Clara County v. CCSF] Ordinance authorizing settlement of litigation of County of Santa Clara v. City and County of San Francisco and the City's conveyance of an easement to the

County of Santa Clara for $1,250. (Santa Clara County Superior Court Action No. CV 757163). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-065. [Strain and Smith v. CCSF, et al.] Resolution authorizing settlement of litigation of Lisa Strain and Desiree Smith against the City and County of San Francisco by payment of up to $75,000. (U.S. District Court No. C95-04652 SAW). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-066. [Loewinsohn v. CCSF, et al.] Ordinance authorizing settlement of litigation of Lee Jacob Loewinsohn against the City and County San Francisco by payment of $80,000. (Superior Court No. 970-640). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-016. [Leasing of Property on Treasure Island] Ordinance authorizing the Mayor, or the Mayor's designee, to enter into leases and other agreements with the Navy of property on Naval Station Treasure Island and in turn subleases and other agreements with third-parties of such property without "competitive bidding", and ratifying certain prior acts. (Mayor) Referred to Government Efficiency/Labor Committee.

File 097-96-051. [Medical Examiner Fees] Ordinance amending Administrative Code by amending Section 8.14, authorizing the Medical Examiner to charge fees for certain services. (Chief Medical Examiner-Coroner) Referred to Budget Committee.

File 101-96-010. [Appropriation, Public Transportation-Muni Railway] Ordinance rescinding $86,568 from materials and supplies in the Muni Operating Fund and appropriating $99,543 to professional services in the Muni Capital Projects Fund, including $12,975 recovered from the contractor, to reimburse the Municipal Railway's advanced train control system project for the improper use of grant funds, in response to a Controller audit, for fiscal year 1996-97; providing for ratification of action previously taken. RO #96029. (Controller) Referred to Budget Committee.

File 101-96-011. [Appropriation, Business and Economic Dev.] Ordinance appropriating $266,000, Department of Business and Economic Development, of grant and rental revenue for salaries, fringe benefits, travel, training, for professional services, materials and supplies and services of other departments, for the creation of two (2) positions, for the Treasure Island Base Conversion Project at the Department of Business and Economic Development; companion measure to File 102-96-4. RO #96065. (Controller) Referred to Budget Committee.

File 102-96-004. [ASO Amendment, Business and Economic Dev.] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of two (2) positions (Class 1365 Special Assistant VI and Class 1372 Special Assistant XIII) in the Department of Business and Economic Development; companion measure to File 101-96-11. (Department of Human Resources) Referred to Budget Committee.

File 121-96-011. [Street Artist Fees] Ordinance amending Police Code by adding Section 2404.1.1 to establish a fee to cover the Arts Commissions' costs of administering the application/examination process. (Arts Commission) Referred to Budget Committee.

Resolutions Referred to Committee

File 028-96-008. [Emergency Repair, Southeast Water Pollution Plant] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to repair the roof of Southeast Water Pollution Control Plant Digester No. 2. (Department of Public Works) Referred to Budget Committee.

File 028-96-009. [Emergency Repair, Various Locations] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in 23rd Avenue between California Street and Clement Street, Broadway between Grant Avenue and Stockton Street, Trenton Street between Pacific Avenue and Jackson Street, Pacific Avenue between Stockton Street and Mason Street and between Taylor Street and Jones Street, the 2015 Tenth Avenue easement between Tenth Avenue and 160 feet westerly, First Street between Market Street and Stevenson Street, Vicksburg Street between Elizabeth Street and Twenty-Fourth Street, Dale Place between Golden Gate Avenue and the deadend, Andover Street between Newman Street and Cortland Street and Webster Street between Lombard Street and Greenwich Street. (Department of Public Works) Referred to Budget Committee.

File 040-96-021. [Residential Parking Area "U", South of Market] Resolution amending the boundaries of Residential Permit Parking Area "U" in the South of Market Area. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-022. [Residential Parking Area "D", Glen Park] Resolution extending the boundaries of Residential Permit Parking Area "D", in the Glen Park Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-96-035. [Settlement of Claim, Richard and Karen Turner] Resolution approving the settlement of the unlitigated claim of Richard and Karen Turner by payment of $30,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 084-96-002. [Property Acquisition, Caltrans Property/Route 480]
Resolution approving and authorizing a Memorandum of Agreement with the State of California for acquisition of certain real property formerly occupied by Route 480 and located generally between Main Street and the Embarcadero (including certain waivers and indemnities for the benefit of the State contained in such agreement); adopting findings that such acquisition is consistent with the City's General Plan and Eight Priority Policies of the Planning Code Section 101.1; and placing certain of the property under the Port's jurisdiction. (Real Estate Department) Referred to Budget Committee.

File 089-96-007. [SDI Coverage, 8220 Director of Enforcement] Resolution authorizing enrollment of classification 8220 Director of Enforcement into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-96-008. [SDI Coverage, A100 Asst. Director of Enforcement] Resolution authorizing enrollment of classification A100 Assistant Director of Enforcement into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 112-96-004. [Outreach Newspaper, S.F. Beacon] Resolution designating the San Francisco Beacon for outreach advertising for the City and County of San Francisco for the Lesbian/Bay/Bisexual Community through June 30, 1997, or until such time that a periodical can be designated as the official outreach periodical for the Lesbian/Gay/Bisexual Community. (Purchasing Department) Referred to Government Efficiency/Labor Committee.

File 112-96-005. [Outreach Newspaper, S.F. Bay Times] Resolution designating the San Francisco Bay Times for outreach advertising for the City and County of San Francisco for the Lesbian/Gay/Bisexual Community through June 30, 1997, or until such time that a periodical can be designated as the official outreach periodical for the Lesbian/Gay/Bisexual Community. (Purchasing Department) Referred to Government Efficiency/Labor Committee.

File 146-96-019. [Private Grant, Disease State Management Fellowship] Resolution authorizing the Department of Public Health, San Francisco General Hospital, to accept and expend retroactively unrestricted funding of $25,000 from Bristol-Myers Squibb Company, which includes no indirect costs, for providing a Pharmacy Disease State Management Fellowship; providing for ratification of action previously taken, and waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney prepare legislation which would prohibit the sale of liquor at gasoline stations.

By Supervisor Bierman, that letter be sent to Chief of Police to determine if the use of officers from Northern Station for temporary duty at City Hall results in a shortage of officers at Northern Station when officers are so deployed.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Ilus W. Davis (Supervisor Shelley)
Ed De la Cruz (By the entire Board)
Karl Kortum (By the entire Board)
Lena Lee Moscone (By the entire Board)
Rev. Milton L. Hill (Supervisor Brown)

File 2-96-37

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:55 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 15, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Tuesday, September 24, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 91 Number 38

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, September 24, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Hsieh - 1.

Quorum present.

Supervisor Hsieh Excused

The Clerk stated Supervisor Hsieh requested to be excused from attending today's meeting.

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Hsieh.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair.

Presentation of Guests

Supervisor Shelley introduced, welcomed, and presented certificate of honors to four individuals who are touring City Hall and learning about our government process: Kathy McCormick, Pat Crow, Warren, Mark Zink.

The President resumed the Chair.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Settlement of Claim Against Partial NSF Design Team]
Ordinance approving the settlement of the City's claims against members of the new Sheriff's facility design team insured under the project errors and omissions insurance policy. (City Attorney)

File 45-96-62, Ordinance No. 371-96

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Isabel Pineda v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Isabel Pineda against the City and County by payment of $7,281.00. (City Attorney)

File 45-96-51, Ordinance No. 362-96

(S.F. Municipal Court No. 077-831.)

Finally passed.

[Robert Evans v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Robert Evans against the City and County by payment of $32,500. (City Attorney)

File 45-96-52, Ordinance No. 363-96

(U.S. District Court Case No. C95-4559 MHP.)

Finally passed.

[Luisa Romero v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Luisa Romero against the City and County by payment of $12,000. (City Attorney)

File 45-96-53, Ordinance No. 364-96

(Municipal Court No. 077-831.)

Finally passed.

[Robert V. Weber, et al. v. CCSF]
Ordinance authorizing settlement of litigation of Robert V. Weber, et al, against the City and County by payment of $46,500. (City Attorney)

File 45-96-54, Ordinance No. 365-96

(Superior Court No. 959-886.)

Finally passed.

[Caroline Braun, v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Caroline Braun against the City and County by payment of $12,000. (City Attorney)

File 45-96-55, Ordinance No. 366-96

(Superior Court No. 970-797.)

Finally passed.

[Adele Roberts, v. CCSF, et al.]
Ordinance authorizing settlement of employment discrimination claim of Adele Roberts against the City and County, Anthony Ribera, Thomas Murphy, Frank Reed, Forrest Fulton, and Woodrow Tennant by payment of $85,000.00. (City Attorney)

File 45-96-56, Ordinance No. 367-96

(USDC, Northern District of California No. C94-4153 CAL.)

Finally passed.

[Stacy and Witbeck, Inc. v. CCSF]
Ordinance authorizing settlement for Stacy and Witbeck, Inc. v. City and County based on Modification of Debarment Order by the Public Transportation Commission, reducing the debarment period, and the commitment by Stacy and Witbeck, Inc. to perform valuable public works at no cost to the City. (City Attorney)

File 45-96-57, Ordinance No. 368-96

(Superior Court No. 961-589.)

Finally passed.

[Richard Felton v. CCSF. et al.]
Ordinance authorizing settlement of litigation of Richard Felton against the City and County by payment of $7,500. (City Attorney)

File 45-96-58, Ordinance No. 369-96

(Superior Court No. 970-909.)

Finally passed.

[Collins, Through Guardians Ad Litem, v. CCSF]
Ordinance authorizing settlement of litigation of Maurice Lewis Collins and Jamaris Morgan Collins, through their Guardians Ad Litem, against the City and County by payment of $50,000. (City Attorney)

File 45-96-59, Ordinance No. 370-96

(Superior Court No. 962-003.)

Finally passed.

[MOU, Local 38, Amendment No. 2]
Ordinance amending Ordinance No. 168-96 to correct clerical errors by adopting and implementing the provision of Amendment No. 2 to the Memorandum of Understanding between the Plumbing and Pipe Fitting Industry, Local 38 and the City and County to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-96-10.2, Ordinance No. 372-96

Finally passed.

[Public Information]
Ordinance amending Administrative Code to exclude computer software developed by the City and County from the definition of public information. (Supervisors Katz, Ammiano, Yaki)

File 97-96-21.1, Ordinance No. 375-96

(Amends Section 67.20.)

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as stop intersections. (Housing and Land Use Committee)

File 18-96-14, Resolution No. 858-96

(Stop Signs - Establish

Seventeenth Avenue and Kirkham Street, northeast and southwest corners, stopping Kirkham Street traffic (makes this an all-way stop).

Ashbury and Piedmont Streets, all corners, stopping all approaches (makes this T-intersection an all-way stop).

Darien Way and Northgate Drive, northeast and southwest corners, stopping Darien Way traffic (makes this an all-way stop).

Fillmore and Waller Streets, northwest and southeast corners, stopping Fillmore Street traffic (makes this an all-way stop).

Grove and Shrader Streets, northeast corner, stopping westbound Grove Street traffic (stops the stem of this T-intersection).)

Adopted.

[Residential Parking Area "V", Balboa Park]
Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park Area and adding Mount Vernon Avenue, between Alemany Boulevard and Del Monte Street, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-20, Resolution No. 859-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Budget Committee Without Recommendation

Finally Passed

[Municipal Railway Improvement Fund]
Ordinance amending the Administrative Code, to establish a Municipal Railway Improvement Fund to receive, administer and expend the funds certified by the Controller and identified in the Memorandum of Understanding between the Transport Workers Union and the City and County effective July 1, 1996, as funds which the City agreed to pay into the Transport Workers Union Municipal Railway Trust Fund for fiscal years 1994/95 and 1996/97 which exceed the level of permissible Transport Workers Union Municipal Railway Trust Fund payments. (Department of Human Resources)

File 97-96-46, Ordinance No. 376-96

(Adds new Section 10.205.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[MOU, Local 250-A]
Ordinance implementing the provisions of a Memorandum of Understanding as amended September 16, 1996 between the Transport Workers' Union, Local 250-A for 9163 Transit Operators and the City and County for the period July 1, 1996 through June 30, 2000. (Department of Human Resources)

File 93-96-29, Ordinance No. 373-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Prohibiting Contracting with the City]
Ordinance amending Administrative Code, (Officers and Employees), to prohibit members of Boards and Commissions from contracting with the City and County; setting effective date of January 15, 1997. (Mayor, Supervisors Shelley, Teng)

File 97-96-20, Ordinance No. 374-96

(Adds Section 16.980.)

Finally passed by the following vote:
Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Recommendation of Health, Public Safety & Environment Committee

Adopted as Amended

[Solid Waste Siting Element and Summary Plan]
Resolution approving issuance of a negative declaration and adopting the final draft Siting Element and final draft Summary Plan. (City Administrator)

File 57-96-3, Resolution No. 861-96

(Final Negative Declaration adopted and issued by City Planning on June 7, 1996.)

(September 16, 1996 - Consideration continued to September 24, 1996.)

Supervisor Alioto, seconded by Supervisor Kaufman, moved an amendment of the whole, entitled "Resolution approving issuance of a negative declaration and adopting the final draft Siting Element and final draft Summary Plan".

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading as Amended

[Appropriation, Board of Supervisors]
Ordinance appropriating $102,000, Board of Supervisors, from a General Fund Reserve established for the Youth Commission for salaries, fringe benefits, travel, training, rent, other current expenses, materials and supplies, equipment purchase and services of other departments, for the creation of one (1) position for the Youth Commission, Board of Supervisors for fiscal year 1996-97; placing $4,500 on reserve. (Supervisors Yaki, Alioto, Bierman, Teng)

File 101-96-9, Ordinance No.

Supervisor Yaki, seconded by Supervisor Kaufman, moved to amend by reducing the property rent amount of $4,500 on reserve and placing it under "Other Materials and Supplies" on reserve.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Passed for Second Reading

[Salary Ordinance Amendment, Board of Supervisors]
Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance 1996/97, Board of Supervisors, Youth Commission, reflecting the creation of one (1) position, companion measure to File 101-96-9. (Supervisors Yaki, Alioto, Bierman)

File 102-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Changing Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks by adding thereto Section No. 1528 changing the official sidewalk width at the intersection of Randolph Street and Arch Street, and at the intersection of Broad Street and Plymouth Avenue, collectively known as Muni Key Stop Phase "D", and as shown on the Department of Public Works drawings labeled Q-20-457 and Q-20-458 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Changing Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1529 changing the official sidewalk width on the east side of Bayshore Boulevard south of Jerrold Avenue, as shown on the Department of Public Works drawing labeled Q-20-436 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Saint Paulus Lutheran Church and Parsonage]
Ordinance rescinding the designation of Saint Paulus Lutheran Church and Parsonage as Landmark No. 119 pursuant to Article 10 of the City Planning Code. (Planning Department)

File 90-96-3, Ordinance No.

(Planning Commission Resolution No. 14174 recommending recision of proposed landmark dated August 1, 1996.) (Landmarks Preservation Advisory Board Resolution No. 488 recommending recision of said landmark dated June 19, 1996.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Housing Code - Assessment Liens]
Ordinance amending Housing Code by amending Sections 204(f) and 302 to provide for collection of annual license fees for the periodic inspection of apartment houses and hotels on property tax bills. (Building Inspection Commission, Supervisor Teng)

File 125-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Interim Zoning Controls, Alcoholic Beverage Sale]
Resolution imposing Interim Zoning Controls to prohibit introduction of new establishments, or any expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages in the Haight Street Neighborhood Commercial District, as defined in Planning Code Section 719.1 (general area along Haight Street between Stanyan Street and Central Avenue, including portion of Stanyan Street between Haight and Beulah Streets), and the area within 1/4 mile of any boundary of the Haight Street Neighborhood Commercial District, for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Bierman, Leal, Teng, Brown)

File 111-96-2, Resolution No. 866-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Medical Centers]
Resolution opposing the proposed University of California San Francisco Medical Center/Stanford merger until information regarding the full impact on employment and health care is provided to the City and the public. (Supervisors Bierman, Alioto)

File 261-96-1, Resolution No. 868-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Rules Committee

Adopted

[Board Meeting Schedule]
Resolution revising the regular meeting schedule of the Board of Supervisors by cancelling the meetings of December 2 and December 30, 1996. (Clerk of the Board)

File 54-96-7, Resolution No. 860-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Appointment]
Resolution appointing member to the Bicycle Advisory Committee, for unexpired portion of the three-year term ending December 31, 1996. (Rules Committee)

File 92-96-16, Resolution No. 862-96

(David Kinsley, vice Melanie Gaier, Seat 24305, bicycle organization, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Appointment]
Resolution appointing member to the Hazardous Materials Advisory Committee, for new four-year term ending July 1, 2000. (Rules Committee)

File 92-96-32.3, Resolution No. 863-96

(Susan Glendening, vice Neil Gendel, Seat 22614, environmental organization, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Appointment]
Resolution appointing member to the Hazardous Materials Advisory Committee, for unexpired portion of four-year term ending July 1, 1999. (Rules Committee)

File 92-96-49, Resolution No. 864-96

(Catania Galvan, vice William Harris, Seat 22616, open seat, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Appointments]
Resolution appointing members to the Bicycle Advisory Committee, terms expired, for new four-year terms ending December 22, 1999. (Rules Committee)

File 92-96-50.1, Resolution No. 865-96

(Richard Lesnik, vice Richard Damm, Seat 24309, bicyclist-at-large;
Dylan Rettler, vice Andrew Vesselinovitch, Seat 24310, bicyclist-at-large;
Chuck Sumner, vice Terry Rolleri, Seat 24311, bicyclist-at-large.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Off-site Meeting]
Motion ordering the October 1996 meeting of the Select Committee on Charter Implementation of the San Francisco Board of Supervisors to be held on October 22, 1996, from 6:00 p.m. to 8:00 p.m. in the community room at the Richmond Police Station, located at 461 Sixth Avenue. (Supervisor Kaufman)

File 54-96-8

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Conference with City Attorney - Litigation

Adopted

[Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

Recess

The Board recessed at the hour of 2:53 p.m. to convene in closed session.

Reconvening of the Board

The Board reconvened at the hour of 3:43 p.m.

Tuesday, September 24, 1996

Calling the Roll

The following Supervisors were noted present:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Leal, Shelley, Yaki - 8.

Noted absent:

Supervisors Hsieh, Kaufman, Teng - 3.

Quorum present.

Supervisor Hsieh excused. See supra.

Supervisor Kaufman was noted present at 3:45 p.m.

Supervisor Teng was noted present at 3:45 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported the Board of Supervisors convened in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

The meeting was informational only and no action was taken.

The President resumed the Chair.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations concerning possible litigation.

Supervisor Alioto, seconded by Supervisor Leal, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Leal, Shelley, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman, Teng - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ernestine Weiss, housing, tenant protection, senior rent;
Ray Johnson, medical marijuana;
Leboriae P. Smoore, police brutality, constitution of the poor;
Joseph Trevino, Sunnyside Hotel, public safety at Minna, Natoma;
Male speaker, cross on Mt. Davidson, homelessness;
Timothy Gillepsie, library card catalog.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Strawberry Organizing Campaign]
Resolution endorsing the United Farm Workers of America's California Strawberry Organizing Campaign and

expressing indignation at the abuses committed against farm workers. (Supervisors Teng, Ammiano, Leal Brown, Yaki, Bierman, Alioto, Shelley, Katz)

File 176-96-7, Resolution No. 867-96

(September 16, 1996 - Introduced in Board for consideration on September 24, 1996.)

Supervisor Teng, seconded by Supervisor Yaki, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim Open Studios Month]
Resolution declaring the month of October 1996 Open Studios Month in the City and County of San Francisco. (Supervisors Shelley, Bierman, Kaufman, Leal, Katz, Teng, Ammiano)

File 4-96-18, Resolution No. 851-96

(September 16, 1996 - Introduced in Board for consideration on September 24, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Katz, Teng, Ammiano requested to be added as co-sponsors.

[Proclaim Immigrant Pride Day]
Resolution proclaiming Sunday, October 6, 1996 Immigrant Pride Day. (Supervisors Yaki, Teng, Shelley, Bierman, Kaufman, Hsieh, Leal, Katz, Ammiano)

File 4-96-19, Resolution No. 852-96

(September 16, 1996 - Introduced in Board for consideration on September 24, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Hsieh, Leal, Katz, Ammiano requested to be added as co-sponsors.

[Municipal Railway Bus Stop]
Resolution urging the Department of Transportation and the Transportation Commission to shorten the length of the Municipal Railway bus stop on the 2600 block of San Bruno Avenue to protect food handling businesses from exhaust contamination. (Supervisors Alioto, Ammiano)

File 7-96-5, Resolution No. 857-96

(September 16, 1996 - Introduced in Board for consideration on September 24, 1996.)

Adopted.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

[Final Map, The Embarcadero Lofts]
Motion approving final map of the Embarcadero Lofts, a Mixed-Use Condominium Project, being a

resubdivision of Lot 20 in Assessor's Block 3747, (Beale and Folsom Street) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-30

(September 12, 1996 - Referred to Board for consideration on September 24, 1996.)

Adopted.

[Final Map, 830 Lake Street]
Motion approving final map of 830 Lake Street, a Residential Condominium Project, being a subdivision of Lot 5 in Assessor's Block No. 1349, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-31

(September 17, 1996 - Referred to Board for consideration on September 24, 1996.)

Adopted.

[Final Map, 650 Delancey Street]
Motion approving final map of "The Oriental Warehouse Lofts", 650 Delancey Street, a Live/Work Condominium Project, being a resubdivision of Lot 25 in Assessor's Block 3789, and adopting findings pursuant to the Redevelopment Plan per Resolution No. 198-92 and Resolution No. 25-95. (Department of Public Works)

File 58-96-32

(September 17, 1996 - Referred to Board for consideration on September 24, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Imperative Resolutions]

Adopted

[Proclaim Safety Awareness for Everyone Day]
Resolution declaring September 26, 1996 as SAFE Day in the City and County of San Francisco.

File 004-96-020, Resolution No. 853-96

Supervisors Shelley, Kaufman, Katz, Teng, Ammiano, Leal, Alioto, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Commend/Proclaim]
Resolution commending the Commission on the Status of Women and declaring September 28 through October 4, 1996 as "Women's Opportunity Week".

File 006-96-138, Resolution No. 854-96

Supervisors Shelley, Kaufman, Katz, Teng, Ammiano, Leal, Alioto, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Commend San Francisco Interfaith Council]
Resolution commending the San Francisco Interfaith Council for holding a fact-finding, public hearing to determine the detrimental impact welfare reform legislation will have on the City and County of San Francisco and to develop proactive solutions to attempt to minimize economic and social adverse affects done to citizens of San Francisco.

File 006-96-140, Resolution No. 856-96

Supervisor Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Commend Carl Smith]
Resolution commending Carl Smith on his retirement from the Noe Valley Ministry Presbyterian Church and declaring September 15, 1996, Carl Smith Day.

File 006-96-139, Resolution No. 855-96

Supervisors Ammiano, Bierman, Leal, Teng, Brown, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Catastrophic Sick Leave Policy]
Ordinance amending Administrative Code Section 16.9-29 by naming this section T.J. Anthony Catastrophic Sick Leave Policy - Transfer of Sick Leave and Vacation Credits to Catastrophically Sick Employees. Supervisors Kaufman, Katz, Shelley, Teng, Leal presented. Referred to Government Efficiency/Labor Committee.

File 097-96-008.02.

[Political Consultants Reporting/Ethics Standards]
Substitute ordinance amending Administrative Code by adding Sections 16.540 through 16.547 to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders and former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 097-96-013.

[Pesticide Use]
Ordinance amending Administrative Code by adding Chapter 39, Sections 39.1 through 39.7, to require City departments to minimize the use of pesticides and develop integrated pest management policies. Supervisors Shelley, Bierman, Alioto, Leal, Yaki, Katz, Ammiano, Teng presented. Referred to Rules Committee.

File 097-96-052.

[Municipalization Feasibility Report]
Ordinance amending Administrative Code Section 11.08 to provide that the report regarding the feasibility of municipalizing the electricity utilities distribution system in San Francisco shall be submitted by the Public Utilities Commission to the Board of Supervisors as soon as possible but no later than January 31, 1997, rather than October 30, 1996. Mayor Willie L. Brown, Jr. presented. Referred to Health/Public Safety/Environment Committee

File 097-96-053.

[Sign Ordinance]
Ordinance amending Planning Code Section 604 to allow a business that is relocating to a new location within 300 feet of its existing location to also relocate one existing business sign that would be nonconforming in its new location together with its associated sign structure, except that in no event may a painted sign or a sign with flashing, blinking, fluctuating or otherwise animated light be relocated unless in conformity with current code requirements applicable to its new location and the relocated sign must comply with applicable provisions of Article 10 and 11; adopting findings pursuant to Section 101.1 of the Planning Code. Supervisor Leal presented. Referred to Housing and Land Use Committee with request it be considered at the October 10, 1996 meeting.

File 115-96-010.

Referred to Board

[Proclaim]
Resolution declaring October 10, 1996 as the "Day of National Concern About Young People and Gun Violence" in the City and County of San Francisco. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar September 30, 1996.

File 004-96-021.

[Proclaim Domestic Violence Awareness Month]
Resolution declaring October 1996 as Domestic Violence Awareness Month in the City and County of San Francisco. Supervisors Shelley, Alioto, Kaufman, Katz, Teng, Ammiano, Leal, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar September 30, 1996.

File 004-96-022.

[Commend Buena Vista Alternative School]
Resolution commending the Buena Vista Alternative School and supporting their efforts to educate students and the community about diversity and respect. Supervisors Katz, Ammiano, Leal, Bierman, Alioto, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar September 30, 1996.

File 006-96-141.

[Wastewater Alternatives Study]
Resolution urging the Public Utilities Commission and the Clean Water Program to conduct a comprehensive feasibility study of environmentally beneficial alternatives to the crosstown tunnel for dealing with wastewater flows into San Francisco Bay, and to report back to the Board of Supervisors within six months. Supervisors Shelley, Bierman, Ammiano, Katz, Yaki, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 30, 1996.

File 053-96-001.

[Crosstown Tunnel]
Resolution opposing the flow of Central Valley Agricultural, Municipal and Industrial Wastewater through San Francisco via a crosstown tunnel and urging the Mayor, the Public Utilities Commission, the Department of Public Works and other city agencies to cease funding any studies which include a crosstown tunnel through San Francisco. Supervisors Shelley, Bierman, Ammiano, Katz, Yaki, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar September 30, 1996.

File 053-96-002.

Referred to Board

[Lease of Real Property]
Substitute resolution authorizing the City, as tenant, to enter into a lease with the San Francisco Unified School District, as landlord, for the lease of a portion of the San Francisco Community School play yard for the construction and operation of a youth center, which lease includes an option for the City to purchase the leased property and indemnities given by the City. Supervisors Shelley, Bierman presented. Referred to Budget Committee with request it be considered at the October 2, 1996 meeting.

File 064-96-014.

Requests for Hearings:

[Highway Graffiti]
Hearing to determine the impact on public safety and environment as it pertains to vandalism in the form of graffiti on the freeway signs and structures that may cause mayhem and accidents. Supervisor Brown presented. Referred to Health/Public Safety/Environment Committee.

File 013-96-038.

[Homelessness]
Hearing to consider status reports from various City departments aided at developing a more realistic data base for future homelessness policy implications. Supervisors Brown, Alioto, Katz presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the October 1, 1996 meeting.

File 083-96-002.

[Youth Guidance Center Suicides]
Hearing to investigate the recent suicides at the San Francisco Youth Guidance Center and whether suicide watch protocols are in place. Supervisor Yaki presented. Referred to Health/Public Safety/Environment Committee.

File 214-96-002.

[Disabled Community]
Hearing to consider issues related to the disabled community. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee.

File 268-96-001.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar September 30, 1996.

File 030-96-001.19.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-067. [Jane Doe v. CCSF, et al.] Ordinance authorizing settlement of litigation of Jane Doe against the City and County of San Francisco by payment of $452,475. (USDC, Northern District of California Case No. C95-1733). (City Attorney) Referred to Government Efficiency/Labor Committee with request it be considered at the October 8, 1996 meeting.

File 045-96-068. [Whitfield v. CCSF, et al] Ordinance authorizing settlement of litigation of Alejandro Whitfield against the City and County of San Francisco by payment of $8,500. (USDC, Northern District of California Case No. C96-2099 WHO). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-069. [Palkin/Golden City Tours v. CCSF, et al.] Ordinance authorizing settlement of litigation of Katherine Palkin and Golden City Tours against the City and County of San Francisco by payment of $35,000. (Superior Court No. 974-431) Referred to Government Efficiency/Labor Committee.

File 045-96-070. [Angela Tardio v. CCSF, et al.] Ordinance authorizing settlement of litigation of Angela Tardio against the City and County of San Francisco by payment of $50,000. (Superior Court No. 971-157). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-071. [Su Ping Chen Liu v. CCSF, et al.] Ordinance authorizing settlement of litigation of Su Ping Chen Liu against the City and County of San Francisco by payment of $15,000, plus waiver of a medical lien in the amount of $7,070.05. (Superior Court No. 933-460). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-072. [Virgilio Estillore v. CCSF, et al.] Ordinance authorizing settlement of litigation of Virgilio Estillore against the City and County of San Francisco by payment of $8,000. (Superior Court No. 975-030). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-073. [Joanne Welsh v. CCSF, et al.] Ordinance authorizing settlement of litigation of Joanne Welsh against the City and County of San Francisco by payment of $288,106. (U.S. District Court No. C93-3722 DLJ). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-96-030. [MOU, Local 911, Police Officers Association] Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Police Officers Association, Local 911, SEIU, AFL-CIO and the City and County of San Francisco for Bargaining Units P-1; P-2A and P-2B to be effective for the period July 1, 1996 through June 30, 2001. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 101-96-012. [Appropriation, Fire Department] Ordinance appropriating $14,233,588, Fire Department, of 1992 Fire Protection Bond proceeds to capital improvement projects for project management, architectural, engineering, construction, real estate and disruption expenses at Fire Department and Public Works for fiscal year 1996-97. RO #96053. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 028-96-010. [Emergency Repairs, San Joaquin Pipeline No. 3] Resolution authorizing expenditure of $600,000 for emergency repairs to the San Joaquin Pipeline No. 3 (Public Utilities Commission) Referred to Budget Committee.

File 047-96-009. [License Agreement for Off-Street Parking] Resolution authorizing the license agreement for a parking lot at 140 South Van Ness Avenue for the Department of Human Services, retroactive to July 29, 1996. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 047-96-010. [License Agreements for Off-Street Parking] Resolution authorizing the license agreements for (1) a parking lot at Colusa Place and Colton Street and (2) parking garage at 1500 Mission Street for the Department of Human Services, retroactive to July 29, 1996 and August 26, 1996, respectively. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 048-96-036. [Settlement of Claim, Clarence Paton] Resolution approving the settlement of unlitigated claim of Clarence Paton by payment of $190,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 061-96-003. [Award Extension - SFWD Contract WD-2121] Resolution granting extension of time for award for San Francisco Water Department Contract No. WD-2121. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 089-96-009. [SDI, Classifications AB05, AB06, AB07 and AB08] Resolution authorizing enrollment of classifications AB05 Deputy Clerk, Parking and Traffic, AB06 Deputy Clerk I, Parking and Traffic, AB07 Information Clerk, Parking and Traffic and AB08 Assistant Division Chief Clerk, Parking and Traffic into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 146-96-020. [Grant, California Healthcare for Indigents Program] Resolution authorizing the Department of Public Health to apply for, accept, and expend a grant allocation of up to $9,079,584 for fiscal year 1996-97 funding from State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental personal services, and indirect costs in the amount of $63,546, based on 14.9% of administrative and fiscal intermediary costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-96-034. [Prevailing Wage Requirements] Resolution exempting from the prevailing wage provision of Charter Section A7.204 a contract between the City and the San Francisco Conservation Corps to provide silt removal for the San Francisco Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that City Attorney prepare ordinance which would amend Park Code Section 7.11 to allow certain groups to sell art in the parks.

By Supervisor Brown, that letters be sent to various federal legislators requesting a full congressional hearing pertaining to allegations of drug distribution sponsored by the Central Intelligence Agency aimed at the South-Central Los Angeles area.

By Supervisor Alioto, that letter be sent to Director, Human Resources Department inquiring as to any contract negotiations currently between the City and representatives of labor and any pending negotiations and the deadline for approval by the Board of Supervisors of these contracts.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Marie A. DiMaggio (By the entire Board)
Bill Van Harrison (Supervisor Ammiano)
Bill Van Harrison, Jr. (Supervisor Ammiano)
Louis Johnson (Supervisor Brown)
Nancy Kitchiner (Supervisor Brown)

File 2-96-38

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 12, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, September 30, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, September 30, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Leal, seconded by Supervisor Teng, moved that the Journals of Proceedings for Tuesday, September 3 and Monday, September 9, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

CONSENT CALENDAR

Recommendations of Housing and Land Use Committee

Finally Passed

[Changing Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks by adding thereto Section No. 1528 changing the official sidewalk width at the intersection of Randolph Street and Arch Street, and at the intersection of Broad Street and Plymouth Avenue, collectively known as Muni Key Stop Phase "D", and as shown on the Department of Public Works drawings labeled Q-20-457 and Q-20-458 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-8, Ordinance No. 377-96

Finally passed.

[Changing Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1529 changing the official sidewalk width on the east side of Bayshore Boulevard south of Jerrold Avenue, as shown on the Department of Public Works Drawing labeled Q-20-436 and making findings pursuant to Planning code Section 101.1. (Department of Public Works)

File 34-96-9, Ordinance No. 378-96

Finally passed.

[Saint Paulus Lutheran Church and Parsonage]
Ordinance rescinding the designation of Saint Paulus Lutheran Church and Parsonage as Landmark No. 119 pursuant to Article 10 of the City Planning Code. (Planning Department)

File 90-96-3, Ordinance No. 379-96

(Planning Commission Resolution No. 14174 recommending recision of proposed landmark dated August 1, 1996.) (Landmarks Preservation Advisory Board Resolution No. 488 recommending recision of said landmark dated June 19, 1996.)

Finally passed.

[Housing Code - Assessment Liens]
Ordinance amending Housing Code by amending Sections 204(f) and 302 to provide for collection of annual license fees for the periodic inspection of apartment houses and hotels on property tax bills. (Supervisor Teng)

File 125-96-2, Ordinance No. 382-96

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Appropriation, Board of Supervisors]
Ordinance appropriating $102,000, Board of Supervisors, from a General Fund Reserve established for the Youth Commission for salaries, fringe benefits, travel, training, rent, other current expenses, materials and supplies, equipment purchase and services of other departments, for the creation of one (1) position for the Youth Commission, Board of Supervisors for fiscal year 1996-97; placing $4,500 on reserve. (Supervisors Yaki, Alioto, Bierman, Teng)

File 101-96-9, Ordinance No. 380-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Salary Ordinance Amendment, Board of Supervisors]
Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance 1996/97, Board of Supervisors, Youth Commission, reflecting the creation of one (1) position, companion measure to File 101-96-9. (Supervisors Yaki, Alioto, Bierman, Teng)

File 102-96-3, Ordinance No. 381-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

From Government Efficiency and Labor Committee
Without Recommendation

Adopted as Amended

[Prop J Contract, Prime Vendor Distribution Program]
Resolution concurring with the Controller's certification that the warehousing ((procurement)) and distribution of supplies can be practically performed for the Purchaser's Office on behalf of the Department of Public Health by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-96-11, Resolution No. 874-96

(Fiscal Impact.)

(September 16, 1996 - Consideration continued to September 30, 1996.)

Supervisor Ammiano, seconded by Supervisor Teng, moved to amend title, line three, by deleting "procurement" and inserting "warehousing".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Adopted

[Contract]
Resolution authorizing the Director of Public Health and the Purchaser to execute an agreement between the City and County and Allegiance Healthcare Corporation for the procurement and distribution of supplies at the Department of Public Health locations; companion measure to File 25-96-11. (Department of Public Health)

File 172-96-27, Resolution No. 881-96

(September 16, 1996 - Consideration continued to September 30, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Medical Examiner Fees]
Ordinance amending Administrative Code, authorizing the Medical Examiner to charge fees for certain services. (Chief Medical Examiner/Coroner)

File 97-96-51, Ordinance No.

(Amends Section 8.14.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Street Artist Fees]
Ordinance amending Police Code, to establish a fee to cover the Arts Commission's costs of administering the application/examination process. (Arts Commission)

File 121-96-11, Ordinance No.

(Adds Section 2404.1.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Adopted

[Emergency Repair, Southeast Water Pollution Plant]
Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to repair the roof of the Southeast Water Pollution Control Plant Digester No. 2. (Department of Public Works)

File 28-96-8, Resolution No. 875-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Property Acquisition, CALTRANS Property/Route 480]
Resolution approving and authorizing a Memorandum of Agreement with the State of California for acquisition of certain real property formerly occupied by Route 480 and located generally between Main Street and the Embarcadero (including certain waivers and indemnities for the benefit of the State contained in such agreements); adopting findings that such acquisition is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1; and placing certain of the property under the Port's jurisdiction. (Real Estate Department)

File 84-96-2, Resolution No. 878-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Airport Revenue Bonds]
Resolution approving the issuance of up to $192,700,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds for the purpose of financing certain infrastructure improvements at San Francisco International Airport and approving the maximum interest rate thereon and approving up to $2,850,000,000 principal amount of Master Plan Bonds of the Airports Commission; approving the time for sale of Master Plan Bonds as ending December 31, 2000; approving up to 19 Series of Master Plan Bonds; and approving a final maturity date of the Master Plan Bonds of not later than May 1, 2030. (Airports Commission)

File 170-96-8, Resolution No. 880-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Conference with City Attorney - Litigation

Adopted

[Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

Supervisor Teng, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Recess

The Board recessed at the hour of 2:40 p.m. to convene in closed session.

Reconvening of the Board

The Board reconvened at the hour of 3:28 p.m.

Calling the Roll

The following Supervisors were noted present:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations concerning possible litigation.

Supervisor Yaki, seconded by Supervisor Alioto, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair for a brief moment.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

The following persons spoke in favor of resolutions opposing a crosstown tunnel and urging study of alternatives to the crosstown tunnel: Amy V. Quirk, Trent Orr, Jeff Marmer, Beth Absams, Dario Absams Kiehn, David Chatfield, Linda Sheehan, Claude Wilson, Michael Lozean, Peter Reich, Susan Pena and Mat Zwerling.

Patricia Vaughey, tenant protection;
Walter Biller, Public Library card catalog preservation;
Katherine Gordon, pesticide use in Central Valley;
Joseph Trevino, Sunnyside Hotel, housing and police code violations.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Remove Both Decks of Central Freeway]
Resolution urging CalTrans to remove the lower deck of the Central Freeway at the same time it is removing the upper deck in August of 1996. (Supervisors Bierman, Katz, Yaki, Brown)

File 85-96-1.1, Resolution No.

(September 9, 1996 - Consideration continued to September 30, 1996.)

At the request of Supervisor Bierman, referred to Housing and Land Use Committee.

In connection with the above item, Supervisors Katz, Yaki, Brown requested to be added as co-sponsors.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Wastewater Alternatives Study]
Resolution urging the Public Utilities Commission and the Clean Water Program to conduct a comprehensive feasibility study of environmentally beneficial alternatives to the crosstown tunnel for dealing with wastewater flows into San Francisco Bay, and to report back to the Board of Supervisors within six months. (Supervisors Shelley, Bierman, Ammiano, Katz, Yaki, Teng, Alioto, Leal, Brown, Hsieh)

File 53-96-1, Resolution No. 876-96

(September 24, 1996 - Introduced in Board for consideration on September 30, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Leal, Brown, Hsieh requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Crosstown Tunnel]
Resolution opposing the flow of Central Valley Agricultural, Municipal and Industrial Wastewater through San Francisco via a crosstown tunnel and urging the Mayor, the Public Utilities Commission, the Department of Public Works and other city agencies to cease funding any studies which include transporting Central Valley wastewater via a crosstown tunnel through San Francisco. (Supervisors Shelley, Bierman, Ammiano, Katz, Yaki, Teng, Alioto, Leal, Brown, Hsieh)

File 53-96-2, Resolution No. 877-96

(September 24, 1996 - Introduced in Board for consideration on September 30, 1996.)

Supervisor Shelley, seconded by Supervisor Bierman, moved to amend title, line five, after the word "include" by inserting "transporting Central Valley wastewater via".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Leal, Brown, Hsieh requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Disaster Relief Funds - Recreation and Park Department]
Resolution authorizing the ((General Manager)) Mayor and other designated officials of the Recreation and Park Department to execute and file, on behalf of the City and County, an application for Federal and State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the 1995 late winter storms. (Supervisors Leal, Kaufman)

File 150-96-2, Resolution No. 879-96

(September 25, 1996 - Referred to Board for consideration on September 30, 1996.)

Supervisor Leal, seconded by Supervisor Kaufman, moved to amend title, line one, by deleting "General Manager" and inserting "Mayor"; amend title, line two, by deleting "Recreation and Park Department" and inserting "City and County of San Francisco"; amend page one, line 20, after the word "that" by inserting "the Mayor or designee; Controller or designee; Director, Mayor's Office of Emergency Services;".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Cable TV Franchise Confidential Communications]
Motion waiving the attorney-client privilege regarding the two cable television franchise confidential communications from the City Attorney's office for which the Board of Supervisors holds the attorney-client privilege, and directing the Clerk to place these documents in Board File No. 32-96-1.4. (Supervisors Ammiano, Shelley, Katz)

File 32-96-1.7

(September 25, 1996 - Referred to Board for consideration on September 30, 1996.)

Supervisor Ammiano, seconded by Supervisor Alioto, moved to continue consideration to October 15, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim]
Resolution declaring October 10, 1996 as the "Day of National Concern About Young People and Gun Violence" in the City and County of San Francisco. (Supervisors Shelley, Kaufman, Katz, Leal, Yaki, Brown, Teng, Bierman)

File 4-96-21, Resolution No. 869-96

(September 24, 1996 - Introduced in Board for consideration on September 30, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz, Leal, Yaki, Brown, Teng, Bierman requested to be added as co-sponsors.

[Proclaim Domestic Violence Awareness Month]
Resolution declaring October 1996 as Domestic Violence Awareness Month in the City and County of San Francisco. (Supervisors Shelley, Alioto, Kaufman, Katz, Teng, Ammiano, Leal, Bierman, Yaki, Brown, Hsieh)

File 4-96-22, Resolution No. 870-96

(September 24, 1996 - Introduced in Board for consideration on September 30, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Brown, Hsieh requested to be added as co-sponsors.

[Commend Buena Vista Alternative School]
Resolution commending the Buena Vista Alternative School and supporting their efforts to educate students and the community about diversity and respect. (Supervisors Katz, Ammiano, Leal, Bierman, Alioto, Brown, Kaufman, Teng)

File 6-96-141, Resolution No. 872-96

(September 24, 1996 - Introduced in Board for consideration on September 30, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Teng requested to be added as co-sponsors.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.19

(September 24, 1996 - Introduced in Board for consideration on September 30, 1996.)

Adopted.

[Domestic Violence Workplace Education Day]
Resolution declaring October 1, 1996 as Domestic Violence Workplace Education Day in the City and County of San Francisco. (Supervisors Shelley, Alioto, Kaufman, Katz, Leal, Yaki, Brown, Hsieh, Teng, Bierman)

File 4-96-23, Resolution No. 871-96

(September 25, 1996 - Referred to Board for consideration on September 30, 1996.)

Adopted.
In connection with the above item, Supervisors Kaufman, Katz, Leal, Yaki, Brown, Hsieh, Teng, Bierman requested to be added as co-sponsors.

[Final Map, 1260 Haight Street]
Motion approving final map of 1260 Haight Street, a Residential Condominium Project, being a subdivision of Lot 15 in Assessor's Block 1234, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-33

(September 20, 1996 - Referred to Board for consideration on September 30, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

The President resumed the Chair.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Alioto, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Alioto, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Imperative Resolution]

Adopted

[Commend Rigoberta Menchu]
Resolution commending Rigoberta Menchu, human rights leader and Nobel Peace Prize Laureate, for her efforts and leadership to promote world peace and advocate for social justice on behalf of indigenous peoples in Guatemala and around the world on the occasion of her visit to the City and County of San Francisco on Friday, October 4, 1996.

File 006-96-142, Resolution No. 873-96

Supervisors Leal, Kaufman, Ammiano, Katz, Alioto, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[City Contracts Domestic Partner Benefits]
Substitute ordinance amending Administrative Code Sections 12B.1, 12B.2, 13C-1 and 12C.2 to prohibit the city from entering into any contracts or other agreements with any party that discriminates in the provision of benefits between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, and to define domestic partner for the purposes of these sections. Supervisors Ammiano, Katz, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 097-96-033.

[Damages in Contracts for Goods/Services]
Ordinance amending Administrative Code by adding Section 21.54 to provide for approval of waivers of future incidental and consequential damages in contracts for goods and services. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 097-96-054.

Referred to Board

[Commend Department of Parking and Traffic]
Resolution commending the Department of Parking and Traffic on the implementation of a pay-by-telephone system for parking tickets in San Francisco. Supervisors Kaufman, Leal, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 006-96-143.

[Commend Neighborhood Preservation Initiative]
Resolution commending the Neighborhood Preservation Initiative and declaring October 2, 1996 as "Neighborhood Preservation Day" in San Francisco. Supervisors Teng, Brown, Katz, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 006-96-144.

[Commend Emily Goldfarb]
Resolution commending Emily Goldfarb for a decade of community service as the Executive Director of the Northern California Coalition for Immigrant Rights and in a variety of other capacities, and declaring November 21, 1996 "Emily Goldfarb Day" in San Francisco. Supervisors Teng, Kaufman, Brown, Katz, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 006-96-145.

[Commend San Francisco Beautiful]
Resolution commending San Francisco Beautiful and declaring October 8, 1996 as "San Francisco Beautiful Day" in San Francisco. Supervisors Teng, Kaufman, Katz, Brown, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 006-96-146.

[Commend Teo Chew Community Center]
Resolution commending Teo Chew Community Center and declaring October 6, 1996 as "Teo Chew Community Center Day" in San Francisco. Supervisors Teng, Kaufman, Brown, Katz, Hsieh, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 006-96-147.

[Commend Chew Lun Association]
Resolution commending the Chew Lun Association on its centennial celebration and declaring October 20, 1996 to be "Chew Lun Association Day" in San Francisco. Supervisors Hsieh, Teng, Yaki, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 006-96-148.

[Opposing H.R. 2202, Immigrants]
Resolution opposing H.R. 2202, urging the U.S. Senate to defeat H.R. 2202 urging the President to veto H.R. 2202, and urging the Mayor to urge the City and County's federal legislative lobbyist to take all actions necessary to convey this message to Congress and other municipalities. Supervisors Teng, Kaufman, Leal, Brown, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 013-96-023.01.

[Headwaters Forest Complex]
Resolution urging the Clinton Administration to seek and implement permanent protection for all six (6) groves and sixty thousand (60,000) acres comprising the Headwaters Forest Complex, while considering

the timber workers who might be affected and, the long term economic vitality of California's North Coast communities. Supervisors Yaki, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 013-96-039.

[Central Intelligence Agency Investigation]
Resolution supporting the efforts initiated by Representative Maxine Waters calling for an investigation exploring the linkage between the Central Intelligence Agency and cocaine use in South Central Los Angeles. Supervisors Brown, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 013-96-040.

Referred to Committee

[Waiving Street Closing Fees]
Resolution waiving all city fees for "Fiesta on the Hill" for 1995 and 1996 including fees assessed by the Police Department, the Department of Parking and Traffic, the Municipal Railway and the Fire Department charged to the "Fiesta on the Hill" and requesting all city departments to cooperate with 1996 fiesta organizers to assist in making it a success. Supervisors Ammiano, Bierman presented. Referred to Budget Committee.

File 042-96-003.
[Local Agency Military Base Recovery Area]
Resolution authorizing the Redevelopment Agency of the City and County of San Francisco to apply to the State of California for designation of Hunters Point Naval Shipyard as a Local Agency Military Base Recovery Area. Supervisor Shelley presented. Referred to Budget Committee

File 071-96-001.

[Tobacco Paraphernalia Interim Zoning Controls]
Substitute resolution imposing Interim Zoning Controls to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell tobacco paraphernalia, as defined, in all commercial and industrial districts, as established in Planning Code Sections 210 et seq., subject to specified exceptions; in the North of Market Residential Special Use District, as established in Planning Code Section 249.5, and areas adjoining this Special Use District that are zoned RC-4 (High Density Residential-Commercial Combined), as established in Planning Code Section 206.3; in neighborhood commercial districts, as established in Planning Code Sections 701 et seq.; and in mixed use Districts, including the Chinatown and South of Market Districts, as established in Planning Code Sections 801 et seq.; for an eighteen (18) month period and making a finding of consistency with the priority policies of Planning Code Section 101.1. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 111-96-003.

[Redevelopment Agency Budget]
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1996-97. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the October 9, 1996 meeting.

File 161-96-004.01.

Referred to Board

[Advertising on Vessels Ban]
Resolution opposing non-incidental commercial advertising on vessels on the San Francisco Bay. Supervisors Katz, Brown, Teng, Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 7, 1996.

File 173-96-001.

Requests for Hearings:

[Business Permit Process]
Hearing to consider the business permit process. Supervisor Katz presented. Referred to Government Efficiency/Labor Committee with request it be considered at the October 22, 1996 meeting.

File 127-96-008.

[Electrical Distribution System]
Hearing to consider the distribution of electrical power to the Mission Bay Development Project by the City and County of San Francisco. Supervisor Alioto presented. Referred to Select Committee on Municipal Public Power.

File 255-96-002.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-074. [Medina v. CCSF, et al.] Ordinance authorizing settlement of litigation of Medina against the City and County of San Francisco payment of $91,500. (Superior Court No. 977-778) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-075. [Ok Song Kim, et al. v. CCSF et al.] Ordinance authorizing settlement of litigation of Ok Song Kim against the City and County of San Francisco by payment of $11,500. (S.F. Municipal Court No. 110-129). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-076. [Christian Vargas et al., v. CCSF et al.] Ordinance authorizing settlement of litigation of Christian Vargas, a minor by and through his Guardian Ad Litem, Elsa Vargas; and Elsa Vargas, individually, against the City and County of San Francisco by payment of $8,161. (Superior Court No. 968-433). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-077. [Frank S. Lee v. CCSF] Ordinance authorizing settlement of litigation in the matter entitled Lee v. the City and County of San Francisco, by payment of $27,500. (Superior Court Case No. 974-074). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-078. [Andrea Johnson v. CCSF, et al.] Ordinance authorizing settlement of litigation of Andrea Johnson against the City and County of San Francisco by payment of $32,500. (Superior Court No. 963-945). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 052-96-003. [Underground District, Cesar Chavez Street] Ordinance creating Underground District No. 323 along Cesar Chavez Street. (Department of Public Works) Referred to Housing and Land Use Committee.

File 052-96-004. [Underground District, Duboce Avenue] Ordinance creating Underground District No. 324 along Duboce Avenue. (Department of Public Works) Referred to Housing and Land Use Committee.

File 052-96-005. [Underground District, Gough/Green Streets] Ordinance creating Underground District No. 325 in the Gough/Green Streets District; companion measure to File 52-96-5.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 052-96-006. [Underground District, Inner Sunset District] Ordinance creating Underground District No. 327 in the Inner Sunset District; companion measure to File 52-96-6.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 121-96-012. [Permit Regulations for Tow Car Companies] Ordinance amending Police Code by adding Article 30.1, providing regulations for the operation of tow car companies. (Police Commission) Referred to Health/Public Safety/Environment Committee.

File 222-96-003. [Settlement, Out-of-Class Pay Grievance] Ordinance authorizing settlement of the out-of-class pay grievance of Maryellen Vergas filed pursuant to the Memoranda of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County of San Francisco in the amount of Five Thousand Dollars ($5,000). (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 048-96-037. [Settlement of Claim, USF&G Insurance] Resolution approving the settlement of the unlitigated claim of USF&G Insurance(Insured, Adams and Cantwell) by payment of $22,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-038. [Settlement of Claim, David Tise] Resolution approving the settlement of the unlitigated claim of David Tise by payment of $13,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-039. [Settlement of Claim, Robert Wickser] Resolution approving the settlement of the unlitigated claim of Robert Wickser by payment of $15,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-040. [Settlement of Claim, Allstate Insurance] Resolution approving the settlement of the unlitigated claim of Allstate Insurance(Insured, Walter Ware) by payment of $7,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-041. [Claim, California State Automobile Association] Resolution approving the settlement of the unlitigated claim of California State Automobile Association by payment of $12,099.60. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 052-96-005.01. [Lighting Assessment District, Gough/Green Streets] Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4, Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Gough/Green Streets District; companion measure to File 52-96-5). (Department of Public Works) Referred to Housing and Land Use Committee.

File 052-96-006.01. [Lighting Assessment District, Inner Sunset] Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4, Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Inner Sunset District; companion measure to File 52-96-6. (Department of Public Works) Referred to Housing and Land Use Committee.

File 064-96-017. [Lease of Property at Tenth and Howard Streets] Resolution authorizing the lease of real of property at Tenth and Howard Streets for the San Francisco Police Department's Crime Prevention Unit. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-96-018. [Lease of Property at 1145 Market Street] Resolution authorizing a lease of real property at 1145 Market Street for Public Transportation Department and Department of Human Resources. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-96-019. [Lease of Property at 1155 Market Street] Resolution authorizing a lease of real property at 1155 Market Street for the Public Utilities Commission. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 082-96-004. [Conveyance of Easement, Santa Clara County] Resolution authorizing settlement of threatened litigation and the City's conveyance of an easement over Water Department pipeline right of way in Santa Clara County. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 096-96-002. [Sale of Surplus City-Owned Property] Resolution confirming sale of surplus City-owned property. (Also see File 96-95-3). (Real Estate Department) (Assessor's Block 3644, Lot 5, 1240 Valencia St.) Referred to Government Efficiency/Labor Committee.

File 138-96-011. [State Grant, Career Criminal Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend grant funds in the amount of $197,178 including indirect costs of $9,389 made available through the California Office of Criminal Justice Planning for the operation of the Career Criminal Program for the twelve month period July 1, 1996 through June 30, 1997. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 147-96-007. [Grant, Public Library] Resolution authorizing the San Francisco Public Library to apply for, accept and expend $254,736 to be awarded by the National Science Foundation, Network Infrastructure for Education Program; waiving indirect costs. (Public Library) Referred to Government Efficiency/Labor Committee.

File 152-96-002. [State Grant, Drug Abatement Project] Resolution authorizing retroactively the Sheriff of the City and County of San Francisco to apply for, accept and expend funds in the amount of $61,919 which include indirect costs in the amount of $3,096 based on five percent of the project costs made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Drug Abatement Project." (Sheriff) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that City Attorney advise what steps the City can take to ban non-incidental commercial advertising on vessels on the San Francisco Bay. This is not intended to prevent sporting or recreational vehicles from traveling on the Bay even if they have incidental advertising such as logos.

By Supervisor Alioto, that City Attorney prepare ordinance establishing a business license tax category in the City and County of San Francisco for electrical utilities.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Mark William Jensen (Supervisor Leal)
Norma J. Kelsey (Supervisor Brown)

File 2-96-39

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:19 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 12, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, October 7, 1996

96

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Number 40

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 7, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Katz - 1

Quorum present.

Supervisor Katz was noted present at 2:24 p.m.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Medical Examiner Fees]
Ordinance amending Administrative Code, authorizing the Medical Examiner to charge fees for certain services. (Chief Medical Examiner/Coroner)

File 97-96-51, Ordinance No. 384-96

(Amends Section 8.14.)

Finally passed.

[Street Artist Fees]
Ordinance amending Police Code, to establish a fee to cover the Arts Commission's costs of administering the application/examination process. (Arts Commission)

File 121-96-11, Ordinance No. 383-96

(Adds Section 2404.1.1.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Millicent and John Rutherford v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Millicent and John Rutherford against the City and County by payment of $95,000. (City Attorney)

File 45-96-60, Ordinance No.

(Superior Court No. 969-806.)

Passed for second reading.

[Lillian Eng v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Lillian Eng against the City and County by payment of $16,000. (City Attorney)

File 45-96-61, Ordinance No.

(Superior Court No. 964-732.)

Passed for second reading.

[C S E Insurance Company, v. CCSF]
Ordinance authorizing settlement of litigation of C S E Insurance Company against Debra F. Borthne, City and County by payment of $10,327.27. (City Attorney)

File 45-96-63, Ordinance No.

(Municipal Court No. 128-103.)

Passed for second reading.

[Santa Clara County v. CCSF]
Ordinance authorizing settlement of litigation of County of Santa Clara v. City and County of San Francisco and the City's conveyance of an easement to the County of Santa Clara for $1,250. (City Attorney)

File 45-96-64, Ordinance No.

(Santa Clara County Superior Court Action No. CV 757163.)

Passed for second reading.

[Strain and Smith v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Lisa Strain and Desiree Smith against the City and County by payment of up to $75,000. (City Attorney)

File 45-96-65, Ordinance No.

(U.S. District Court No. C95-04652 SAW.)

Passed for second reading.

[Loewinsohn v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Lee Jacob Loewinsohn against the City and County by payment of $80,000. (City Attorney)

File 45-96-66, Ordinance No.

(Superior Court No. 970-640.)

Passed for second reading.

Adopted

[Settlement of Claim, Richard and Karen Turner]
Resolution approving the settlement of the unlitigated claim of Richard and Karen Turner by payment of $30,000. (City Attorney)

File 48-96-35, Resolution No. 905-96

Adopted.

[SDI Coverage, 8220 Director of Enforcement]
Resolution authorizing enrollment of Classification 8220 Director of Enforcement into the State Disability Insurance Program. (Department of Human Resources)

File 89-96-7, Resolution No. 906-96

Adopted.

[SDI Coverage, A100 Asst. Director of Enforcement]
Resolution authorizing enrollment of Classification A100 Assistant Director of Enforcement into the State Disability Insurance Program. (Department of Human Resources)

File 89-96-8, Resolution No. 907-96

Adopted.

[Private Grant, Family Mosaic Project]
Resolution authorizing the Department of Health to retroactively apply for, accept, and expend a grant of $911,622 from the Robert Wood Johnson Foundation to develop systems of managed care for all populations served by the Division of Mental Health; providing for ratification of action previously taken, and waiving indirect costs. (Supervisor Alioto)

File 146-96-16, Resolution No. 911-96

Adopted.

[Private Grant, Herpes Surveillance Project]
Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of $40,000 from the Glaxo Welcome Company for participation in the Surveillance for Acyclovir Resistant Herpes Simplex Virus Pilot Project; waiving indirect costs. (Supervisor Alioto)

File 146-96-18, Resolution No. 912-96

Adopted.

[Private Grant, Disease State Management Fellowship]
Resolution authorizing the Department of Public Health, San Francisco General Hospital, to accept and expend retroactively unrestricted funding of $25,000 from Bristol-Myers Squibb Company, which includes no indirect costs, for providing a Pharmacy Disease State Management Fellowship; providing for ratification of action previously taken, and waiving indirect costs. (Department of Public Health)

File 146-96-19, Resolution No. 913-96

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersection, 6th Avenue and Hugo Street]
Resolution designating the intersection of 6th Avenue and Hugo Street as an all-way stop intersection. (Supervisor Shelley)

File 18-96-13, Resolution No. 896-96

Adopted.

[Parking Regulations]
Resolution enacting parking regulations at various locations. (Housing and Land Use Committee)

File 19-96-12, Resolution No. 897-96

(Unmetered Motorcycle Parking - Establish
Kaplan Lane, west side, from Clementina Street to 110 feet northerly (110-foot zone, replaces existing zone with approximately 35 motorcycle stalls).

Unmetered Motorcycle Parking - Establish
Sixteenth Street, north side, from De Haro Street to 50 feet westerly (50-foot zone, accommodating 14 motorcycle stalls).

Peter Yorke Way, south side, from 80 feet to 105 feet east of Geary Boulevard (25-foot zone accommodating six motorcycle parking stalls).

Perpendicular (90-Degree Angle) Parking - Establish
Illinois Street, east side, between Nineteenth and Twenty-Second Streets.

Tow-Away, No Parking Anytime - Establish
Carroll Avenue, north side, from Keith Street to 430 feet easterly (430-foot zone).

Carroll Avenue, north side, from Keith Street to 85 feet westerly (85-foot zone).)

Adopted.

[Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-14, Resolution No. 898-96

(Left Lane Must Turn Left - Rescind
Folsom Street, eastbound, at Fremont Street.

No Left Turn - Establish
South Van Ness Avenue, northbound, at Twelfth Street (into driveway).

No Right Turn on Red - Establish
Fell Street, southbound, at Market Street.

No Turn on Red - Establish
Alemany Boulevard, northbound, at Mount Vernon Avenue.

Tow-Away, No Stopping Anytime - Establish
Eighth Street, east side, from 57 feet to 242 feet north of Bryant Street (185-foot zone, between the north and south driveways).

Montgomery Street, east side, from Market Street to the extension of the north property line of Post Street.

Broad Street, north side, from Plymouth Street to 62 feet easterly (62-foot zone).

Broad Street, south side, from Plymouth Street to 64 feet westerly (64-foot zone).

Randolph Street, north side, from Arch Street to 60 feet westerly (60-foot zone).

Randolph Street, south side, from Arch Street to 57 feet easterly (57-foot zone).

Bicycle Lanes - Establish
Harrison Street, northbound and southbound, between Eleventh and Twenty-Second Streets.

Mid-Block Crosswalks - Establish
Telegraph Hill Boulevard, at east end of Greenwich Street steps, crossing Telegraph Hill Boulevard.

Telegraph Hill Boulevard, at west end of Greenwich Street steps, crossing Telegraph Hill Boulevard.

Tow-Away, No Stopping Anytime - Rescind
Kaplan Lane, west side, from Clementina Street to 110 feet northerly (110-foot zone, replaces existing zone with approximately 35 motorcycle stalls).)

Adopted.

[Street Closure, Tiffany Street]
Resolution authorizing the closure of Tiffany Street, at Twenty-Ninth Street, for a six month trial period. (Housing and Land Use Committee)

File 20-96-15, Resolution No. 899-96

Adopted.

[Street Closure, Mark Lane]
Resolution authorizing the temporary closure of Mark Lane, between Bush Street and Harlan Place, between 12:00 Noon - 2:30 P.M. and 6:00 P.M. - 10:00 P.M., everyday for a one-year trial period. (Housing and Land Use Committee)

File 20-96-16, Resolution No. 900-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Public Transportation-Muni Railway]
Ordinance rescinding $86,568 from materials and supplies in the Muni Operating Fund and appropriating $99,543 to professional services in the Muni Capital Projects Fund, including $12,975 recovered from the contractor, to reimburse the Municipal Railway's Advanced Train Control System Project for the improper use of grant funds, in response to a Controller's audit, for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-10, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

[Appropriation, Department of Business and Economic Development] Ordinance appropriating $231,180, Department of Business and Economic Development, of grant and rental revenue for salaries, fringe benefits, travel, training, for professional services, materials and supplies, equipment and services of other departments, for the creation of two (2) positions, for the Treasure Island Base Conversion Project. (Controller)

File 101-96-11, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

[Salary Ordinance Amendment]
Ordinance amending Ordinance No. 298-96, Annual Salary Ordinance, 1996/97, Department of Business and Economic Development reflecting the creation of two (2) positions; companion measure to File 101-96-11. (Department of Human Resources)

File 102-96-4, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Adopted

[Emergency Repair, Various Locations]
Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in 23rd Avenue between California Street and Clement Street, Broadway between Grant Avenue and Stockton Street, Trenton Street between Pacific Avenue and Jackson Street, Pacific Avenue between Stockton Street and Mason Street and between Taylor Street and Jones Street, the 2015 Tenth Avenue easement between Tenth Avenue and 160 feet westerly, First Street between Market Street and Stevenson Street, Vicksburg Street between Elizabeth Street and Twenty-Fourth Street, Dale Place between Golden Gate Avenue and the Dead-End, Andover Street between Newman Street and Cortland Street and Webster Street between Lombard Street and Greenwich Street. (Department of Public Works)

File 28-96-9, Resolution No. 901-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

[Emergency Repairs, San Joaquin Pipeline No. 3]
Resolution authorizing expenditure of $600,000 for the emergency repairs to the San Joaquin Pipeline No. 3. (Public Utilities Commission)

File 28-96-10, Resolution No. 902-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Recommendations of Economic Vitality & Social Policy Committee

Adopted

[Policy, Small Business]
Resolution establishing a policy to involve the Small Business Advisory Commission on policy issues of significance to the small business community in the City and County. (Supervisors Teng, Katz, Brown, Kaufman, Shelley)

File 43-96-3, Resolution No. 904-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Kaufman, Shelley requested to be added as co-sponsors.

Adopted as Amended

[Empowerment Zone]
Resolution urging the U.S. Housing and Urban Development Department to revise the regulations to allow the City and County ((to be considered for full Empowerment Zone status for all six neighborhoods or)) to include Chinatown and the Tenderloin as ((an)) Enterprise Community Areas and to receive the benefits associated with that designation, including grant funds and access to facility bonds. (Supervisors Teng, Bierman, Shelley, Alioto, Yaki, Kaufman)

File 161-96-2, Resolution No. 915-96

Supervisor Teng, seconded by Supervisor Ammiano, moved an amendment of the whole entitled, "Resolution urging the U.S. Housing and Urban Development Department to revise the regulations to allow the City and County to include Chinatown and the Tenderloin as an Enterprise Community Areas and to receive the benefits associated with that designation, including grant funds and access to facility bonds.".

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Yaki, Kaufman, requested to be added as co-sponsors.

Adopted

[Domestic Violence Education/Prevention]
Resolution endorsing and supporting the mission and goals of the Chinese Community Health Education Council and urging San Francisco Municipal Railway, through Transportation Displays, Incorporated, and other city departments to support the domestic violence prevention campaign in the Chinese community by promoting education and other services. (Supervisors Teng, Alioto, Bierman, Kaufman, Katz, Shelley, Yaki)

File 264-96-1, Resolution No. 921-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Shelley, Yaki requested to be added as co-sponsors.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Grant of Easement, County of San Mateo]
Ordinance authorizing conveyance of trail easements over Water Department Peninsula Watershed to the County of San Mateo. (Real Estate Department)

File 82-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisors Alioto and Yaki assumed the Chair at different times for a brief moment.

Consideration Continued

(Supervisor Yaki dissenting in Committee.)

[Campaign Consultant Regulation]
Ordinance amending Administrative Code, to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders and certain former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. (Supervisors Ammiano, Bierman)

File 97-96-13, Ordinance No.

(Adds Sections 16.540 through 16.547.)

Supervisor Leal, seconded by Supervisor Ammiano, moved to amend page five, lines 24 and 25, Section 16.543(a)(6) by deleting the clause "and a statement of the specific purpose for which the client has contracted with the campaign consultant"; and to page seven, lines 16 through 18, Section 16.543(d) by deleting "The Client Authorization Statement must include a statement of the purpose for which the client has employed the campaign consultant.".

Supervisor Ammiano, seconded by Supervisor Alioto, moved pending amendment of the whole bearing same title, dated October 2, 1996.

Supervisor Leal requested City Attorney to prepare and submit proposed amendment regarding recusal provisions in sufficient time to be placed on the agenda for Board action on October 15, 1996.

Supervisor Ammiano, seconded by Supervisor Yaki, moved to refer the above matter with pending amendments to October 15, 1996 with the Board of Supervisors sitting as a Committee of the Whole.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

The President resumed the Chair.

Adopted

[Outreach Newspaper, S.F. Bay Times]
Resolution designating the San Francisco Bay Times for outreach advertising for the City and County for the Lesbian/Gay/Bisexual Community through June 30, 1997, or until such time that a periodical can be designated as the official outreach periodical for the Lesbian/Gay/Bisexual Community. (Purchasing Department)

File 112-96-5, Resolution No. 910-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Federal Grant, Technology in Education Program]
Resolution authorizing retroactively the Public Library to apply for approximately $200,000 per year for five years for a maximum of $1,009,302 as part of a collaboration with the Unified School District, to be awarded by the United States Department of Education, Challenge Grant for Technology in Education Program; waiving indirect costs. (Supervisor Alioto)

File 147-96-5, Resolution No. 914-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Medical Services Contract]
Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, with the Regents of the University of California, for the provision of services specified as necessary by the California Children Services (CCS) for Community Level Neonatal Intensive Care designation, retroactive to July 1, 1996. (Department of Public Health)

File 172-96-33, Resolution No. 916-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Bernal Property Development Agreement]
Resolution adopting findings based on the Final Environmental Impact Report for the Bernal Property and approving the Bernal Property Development Agreement by and between Alameda County and the City and County of San Francisco, pursuant to Charter Section 9.118. (Public Utilities Commission)

File 188-96-1.2, Resolution No. 918-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Grand Jury Report, Department of Public Works]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1995-96 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Department of Public Works. (Government Efficiency and Labor Committee)

File 39-96-5

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Grand Jury Report, Clean Water Enterprise]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1995-96 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Clean Water Enterprise. (Government Efficiency and Labor Committee)

File 39-96-6

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Grand Jury Report, Port]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1995-96 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Port. (Government Efficiency and Labor Committee)

File 39-96-7

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Grand Jury Report, Jails]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1995-96 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the City and County Jails. (Government Efficiency and Labor Committee)

File 39-96-8

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Grand Jury Report, Department of Public Health]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1995-96 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Department of Public Health. (Government Efficiency and Labor Committee)

File 39-96-9

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

Recommendations of Housing and Land Use Committee

Adopted

[Findings, 5545 Third Street Affordable Housing]
Resolution adopting Final Negative Declaration, finding and determining that the establishment of the Third Street and Armstrong Avenue Affordable Housing Special Use District, and the reclassification of the height and bulk district from 40-X to 40-65-J, affecting the property at 5545 Third Street, Assessor's Block 5419, Lot 6, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Supervisors Brown, Teng, Bierman)

File 36-96-4.1, Resolution No. 903-96

(June 19, 1996 - Adopted and issued by Planning Department.)

(August 8, 1996 - Approved by Planning Commission Motion 14180, approving Conditional Use Authorization adopted.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

Passed for Second Reading

[Affordable Housing Special Use District]
Ordinance amending Planning Code, to create an Affordable Housing Special Use District at Third Street and Armstrong Avenue. (Supervisors Brown, Teng, Bierman)

File 81-96-1, Ordinance No.

(Adds Section 249.17.)

(August 8, 1996 - Approved by Planning Commission Resolution No. 14176.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Zoning Map, Affordable Housing, 5545 Third Street]
Ordinance adopting a new Special Use District as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6, Assessor's Block 5419, to establish the Third Street and Armstrong Avenue Affordable Housing Special Use District, and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 36-96-4.1. (Supervisors Brown, Teng, Bierman)

File 36-96-4, Ordinance No.

(August 8, 1996 - Approved by Planning Commission Resolution No. 14178.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Zoning Map Height and Bulk, 5545 Third Street]
Ordinance adopting a change to the Height and Bulk Classification as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6, Assessor's Block 5419, to change the Height and Bulk Classification from 40-X to 40-65-J, and adopting findings pursuant to Planning Code Section 101.1. (Supervisors Brown, Teng, Bierman)

File 36-96-5, Ordinance No.

(August 8, 1996 - Approved by Planning Commission Resolution No. 14179.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Bayview Senior Housing Project]
Ordinance amending Planning Code, to create special exceptions in the 40-65-J Special Height and Bulk District. (Supervisors Brown, Teng, Bierman)

File 115-96-5, Ordinance No.

(Adds Section 263.13.)

(August 8, 1996 - Approved by Planning Commission Resolution No. 14177.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Changing Width of Sidewalk, Tompkins Avenue]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official sidewalk width on the south side of Tompkins Avenue between Putnam Street and Peralta Avenue, retroactive to May 21, 1996, as shown on the Department of Public Works Drawing labeled Q-20-430 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-10, Ordinance No.

(Adds Section 1530.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Changing Official Grade of Street]
Ordinance establishing official grades on the west side of Peralta Avenue at Tompkins Avenue and on Putnam Street between Tompkins Avenue to 37 feet south of Ogden Avenue, as shown on the Department of Public Works Drawings labeled Q-20-431 and Q-20-432 and making findings pursuant to Planning Code Section 101.1; companion measure to File 34-96-10. (Department of Public Works)

File 139-96-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Changing Width of Sidewalk, Oakdale Avenue]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section No. 1531 changing the official sidewalk width on Oakdale Avenue between Phelps Street and Quint Street, as shown on the Department of Public Works Drawing Labeled Q-20-460, and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Housing Code - Lead Hazards]
Ordinance amending Housing Code to change the definition of nuisance to include dwelling units subjected to hazard reduction orders or emergency orders under Sections 1628 and 1630 of the Health Code. (Building Inspection Commission)

File 125-96-1, Ordinance No.

(Amends Section 401.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

Consideration Continued

[Hotel Room Tax Administration]
Ordinance amending Municipal Code, Part III, to transfer administration of the Hotel Tax Fund from the Chief Administrative Officer to the Mayor (with respect to housing uses of the fund) and to the City Administrator (with respect to non-housing uses of the fund) and to clarify residency requirements. (Supervisor Brown)

File 127-96-7, Ordinance No.

(Amends Section 515.)

Supervisor Brown, seconded by Supervisor Teng, moved to continue consideration to October 15, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

Adopted

[Liquor Licenses, 600 Sutter and 611 Mason Streets]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license from Walgreen Co., at 1521 Polk Street, to 600 Sutter Street, and the transfer of a Type 48 on-sale general public premises license from 827 Sutter Street, Inc., at 827 Sutter Street, to 611 Mason Street, for J.P.D.C. Corporation will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-27, Resolution No. 919-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Liquor License Transfer, 539 Sutter Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license from Theatre Market at 533 Sutter Street, to Theatre Market at 539 Sutter Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-28, Resolution No. 920-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

Passed for Second Reading

[Relocation Assistance Lead Administration Fund]
Ordinance amending Administrative Code, creating the Relocation Assistance Lead Administration Fund, into which the fees imposed on owners of properties built or rehabilitated before 1978 will be deposited to provide for the costs of relocation assistance and administration incurred in the remediation of lead hazards in residential units occupied by a lead poisoned child. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 97-96-47, Ordinance No.

(Adds Section 10.117-116.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Ammiano - 1.

[Rent Escrow Account Program]
Ordinance amending Administrative Code, authorizing the Department of Public Health to collect rents for residential units occupied by a lead poisoned child and deposit them into a rent escrow account to be used to abate lead hazards in conjunction with abatement funds available in Health Code Section 599; mandating that said escrow funds be used solely to abate the unsafe conditions arising from lead hazards upon the owners' failure to abate such hazards; providing that payment of an administrative fee equal to the reasonable cost of administration of the escrow account be paid by the owner and deposited in the account, and further providing that payment of rent into said account is not a basis for eviction. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 97-96-48, Ordinance No.

(Adds Chapter 74, Sections 74.1 through 74.15.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Ammiano - 1.

[Establishment of Regulatory Fee for Lead Hazard Abatement Program] Ordinance amending Administrative Code, to establish a regulatory fee and revolving fund to subsidize the costs of tenant relocation and to cover the reasonable costs incurred by the Department of Public Health in administering the Lead Hazard Abatement Program. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown Hsieh)

File 97-96-49, Ordinance No.

(Creates Chapter 73, Sections 73.1 through 73.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Ammiano - 1.

[Relocation Assistance for Lead Hazard Remediation]
Ordinance amending Administrative Code, mandating relocation assistance be provided to residents vacated from residential units deemed unsafe due to the presence of lead hazards or due to the unpermitted use of a residence discovered pursuant to a lead hazard inspection, provided that the costs of short term relocation and associated administrative costs shall be paid for by the fees collected pursuant to Administrative Code Chapter 73, and further providing criminal sanction for failure to provide such assistance. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 97-96-50, Ordinance No.

(Creates Chapter 72, Sections 72.1 through 72.7.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Ammiano - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

Passed for Second Reading as Amended

[Pesticide Use]
Ordinance amending Administrative Code, to require City departments to minimize the use of pesticides and develop integrated pest management policies. (Supervisors Shelley, Bierman, Alioto, Leal, Yaki, Katz, Ammiano, Teng)

File 97-96-52, Ordinance No.

(Adds Chapter 39, Sections 39.1 through 39. 8.)

Supervisor Shelley, seconded by Supervisor Alioto, moved to amend page four, line 11, after "1996" by adding ", except for those pesticides that the Board of Supervisors has reviewed and approved for use for purposes of protection of public safety or public health, based on a recommendation from the Commission on the Environment"; and to amend page nine, line five, by adding a new section as follows:

"Section 39.8 Exceptions. This chapter will not apply to use of any pesticide for the purpose of improving or maintaining water quality at drinking water treatment plants, wastewater treatment plants, reservoirs and related collection, distribution and treatment facilities."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Passed for Second Reading

[Passthroughs and Evictions Based on Lead Remediation Work] Ordinance amending Administrative Code, to permit rent increases for Lead Hazard Remediation Work; to limit passthroughs of rent increases for capital improvements and operating and maintenance costs of lead hazard remediation activities to 10% of a tenant's base rent and to regulate passthroughs for lead hazard remediation activities where deferred maintenance contributes to the existence of the lead hazard; and, to create a just cause eviction for lead remediation work. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 109-96-3, Ordinance No.

(Amends Sections 37.3 and 37.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Ammiano - 1.

[Lead Housing Nuisances]
Ordinance amending Housing Code to change the definition of nuisance to include dwelling units subjected to hazard reduction orders or emergency orders under Sections 1628 and 1630 of the Health Code. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 125-96-1.1, Ordinance No.

(Amends Section 401.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Ammiano - 1.

[Lead Hazards]
Ordinance amending Health Code, Article 26, and adding new authority for the Director of Public Health to issue nuisance abatement orders against defined lead hazards, to require posting of lead hazard information by landlords and home improvement stores, and to strengthen the Department of Public Health's management of elevated blood lead level children through treatment and public education. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 125-96-1.2, Ordinance No.

(Renumbers Sections 1600 to 1640.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Ammiano - 1.

The President resumed the Chair.

Adopted

[Appointments]
Resolution appointing members to the Lead Poisoning Prevention Citizen's Advisory Committee, terms expired, for new two-year terms ending August 20, 1997. (Rules Committee)

File 92-95-39.3, Resolution No. 882-96

(James Threat, vice himself, Seat 26608, Recreation and Park representative;
Michael Miller, vice Betty Taisch, Seat 26614, real estate expertise;
Stacy Samek-Herrera, vice Francisco J. Lopez, Seat 26609, San Francisco Unified School District representative.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Resolution appointing member to the Advisory Council to the Commission on the Aging, for new two-year term ending March 31, 1997. (Rules Committee)

File 92-95-41, Resolution No. 883-96

(Pat Durham, vice Roberta E. Carter, Seat No. 20310, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, for four-year term ending December 22, 1999; making findings waiving residency. (Rules Committee)

File 92-96-39, Resolution No. 908-96

(Stephen Davis, vice himself, Seat 26714, lead testing expert, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointments]
Resolution appointing members to the Lead Poisoning Prevention Citizens Advisory Committee, terms expired, for new three-year terms ending August 20, 1999. (Rules Committee)

File 92-96-46.1, Resolution No. 884-96

(Neil Gendel, vice himself, Seat 26622, public interest organization;
Sharon Donovan, vice herself, Seat 26602, childcare.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Resolution appointing member to the Lead Hazard Citizens Advisory Committee, for unexpired portion of four-year term ending December 22, 1997; making findings waiving residency. (Rules Committee)

File 92-96-48, Resolution No. 909-96

(Bartholomew Murphy, vice Vince Malta, Seat 26710, must be residential owner, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Paul Craig Okamoto, to serve as a member of the Commission on the Environment. (Rules Committee)

File 33-96-20

(September 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Rebecca Evans to serve as a member of the Commission on the Environment. (Rules Committee)

File 33-96-21

(September 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Linda Richardson to serve as a member of the Commission on the Environment. (Rules Committee)

File 33-96-22

(September 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Anne Lee Eng to serve as a member of the Commission on the Environment. (Rules Committee)

File 33-96-23

(September 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Steven M. Krefting to serve as a member of the Commission for the Environment. (Rules Committee)

File 33-96-24

(September 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Beryl Magilavy to serve as a member of the Commission on the Environment. (Rules Committee)

File 33-96-25

(September 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Diana B. Wilsey to serve as a member of the Arts Commission. (Rules Committee)

File 33-96-26

(September 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Linda S. Crayton to serve as a member of the Airports Commission. (Rules Committee)

File 33-96-27

(September 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Rev. Dr. Harry Chuck to serve as a member of the Juvenile Probation Commission. (Rules Committee)

File 33-96-28

(September 24, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Kathy Gordan, Proposition 211, campaign consultants;
David, neighborhood tree management program;
Dick Grace, headwaters, Treasure Island, Presidio, HOPE VI;
Deefje Boler, book giveaway and auction of furniture at Library;
Denise Janelle, gas station leakage, Seventh Avenue and Irving Street;
Bernal Dwelling Tenants Association, HOPE VI grant;
Milton Hanks, personal safety;

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend Department of Parking and Traffic]
Resolution commending the Department of Parking and Traffic on the implementation of a pay-by-telephone system for parking tickets in San Francisco. (Supervisors Kaufman, Leal, Alioto, Bierman)

File 6-96-143, Resolution No. 885-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

[Commend Neighborhood Preservation Initiative]
Resolution commending the Neighborhood Preservation Initiative and declaring October 2, 1996 as "Neighborhood Preservation Day" in San Francisco. (Supervisors Teng, Brown, Katz, Shelley, Bierman, Kaufman)

File 6-96-144, Resolution No. 886-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Commend Emily Goldfarb]
Resolution commending Emily Goldfarb for a decade of community service as the Executive Director of the Northern California Coalition for Immigrant Rights and in a variety of other capacities, and declaring November 21, 1996 "Emily Goldfarb Day" in San Francisco. (Supervisors Teng, Kaufman, Brown, Katz, Alioto, Shelley, Bierman, Leal, Yaki)

File 6-96-145, Resolution No. 887-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki requested to be added as co-sponsors.

[Commend San Francisco Beautiful]
Resolution commending San Francisco Beautiful and declaring October 8, 1996 as "San Francisco Beautiful Day" in San Francisco. (Supervisors Teng, Kaufman, Katz, Brown, Alioto, Shelley, Bierman)

File 6-96-146, Resolution No. 888-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

[Commend Teo Chew Community Center]
Resolution commending Teo Chew Community Center and declaring October 6, 1996 as "Teo Chew Community Center Day" in San Francisco. (Supervisors Teng, Kaufman, Brown, Katz, Hsieh, Alioto, Shelley, Bierman, Leal, Yaki)

File 6-96-147, Resolution No. 889-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki requested to be added as co-sponsors.

[Commend Chew Lun Association]
Resolution commending the Chew Lun Association on its centennial celebration and declaring October 20, 1996 to be "Chew Lun Day" in San Francisco.

File 6-96-148, Resolution No. 890-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Opposing H.R. 2202, Immigrants]
Resolution opposing H.R. 2202, urging the U.S. Senate to defeat H.R. 2202 urging the President to veto H.R. 2202, and urging the Mayor to urge the City and County's federal legislative lobbyist to take all actions necessary to convey this message to Congress and other municipalities. (Supervisors Teng, Kaufman, Leal, Brown, Alioto, Bierman)

File 13-96-23.1, Resolution No. 893-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

[Headwaters Forest Complex]
Resolution urging the Clinton Administration to seek and implement permanent protection for all six (6) groves and sixty thousand (60,000) acres comprising the Headwaters Forest Complex, while considering the timber workers who might be affected and, the long term economic vitality of California's North Coast communities. (Supervisors Yaki, Alioto, Bierman, Leal, Katz)

File 13-96-39, Resolution No. 894-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Katz requested to be added as co-sponsors.

[Central Intelligence Agency Investigation]
Resolution supporting the efforts initiated by Representative Maxine Waters calling for an investigation exploring the linkage between the Central Intelligence Agency and cocaine use in South Central Los Angeles (Supervisors Brown, Alioto, Bierman, Katz)

File 13-96-40, Resolution No. 895-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Advertising on Vessels Ban]
Resolution opposing non-incidental commercial advertising on vessels on the San Francisco Bay. (Supervisors Katz, Brown, Teng, Ammiano, Alioto, Yaki, Bierman)

File 173-96-1, Resolution No. 917-96

(September 30, 1996 - Introduced in Board for consideration on October 7, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Bierman requested to be added as co-sponsors.

[Final Map, 125 Gilbert Street]
Motion approving final map of 125 Gilbert Street, a Live/Work Condominium Project, being a subdivision of Lot 95 in Assessor's Block 3784, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-34

(September 27, 1996 - Referred to Board for consideration on October 7, 1996.)

Adopted.

[Final Map, 270 Henry Street]
Motion approving final map of 270 Henry Street, a Residential Condominium Project, being a subdivision of Lot 49 in Assessor's Block 2612, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-35

(September 27, 1996 - Referred to Board for consideration on October 7, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Leal, Shelley, Yaki - 8.

Absent: Supervisors Alioto, Kaufman, Teng - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Leal, Shelley, Yaki - 8.

Absent: Supervisors Alioto, Kaufman, Teng - 3.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Leal, Shelley, Yaki - 8.

Absent: Supervisors Alioto, Kaufman, Teng - 3.

[Imperative Resolutions]

Adopted

[Commend Chris/Warren Hellman]
Resolution commending Chris and Warren Hellman for their positive and enduring contributions to San Francisco.

File 006-96-149, Resolution No. 891-96

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Leal, Shelley, Yaki - 8.

Absent: Supervisors Alioto, Kaufman, Teng - 3.

[Commend Chinatown New Park]
Resolution commending the Chinatown new park and declaring October 9, 1996 to be "Chinatown New Park Day" in San Francisco.

File 006-96-150, Resolution No. 892-96

Supervisors Hsieh, Teng, Yaki, Kaufman, Bierman, Brown, Katz, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Leal, Shelley, Yaki - 8.

Absent: Supervisors Alioto, Kaufman, Teng - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Sexual Harassment Policy]
Ordinance amending Administrative Code by repealing Section 16.9-25 and adding Section 16.9-25 concerning policy on sexual harassment; charging the Human Resources Director with providing quarterly and annual reports on sexual harassment; and providing that the Commission on the Status of Women may offer support on related matters. Supervisor Shelley presented. Referred to Rules Committee.

File 097-96-018.01.

[Neighborhood Commercial Advisory Councils]
Ordinance amending Planning Code by adding Sections 704 through 704.5 to authorize establishment of neighborhood commercial advisory councils and to specify procedures for advisory council management and operation, and making findings of consistency with the priority policies of Planning Code Section 101.1. Supervisors Shelley, Alioto, Teng, Yaki, Ammiano, Brown, Hsieh, Katz presented. Referred to Rules Committee.

File 115-96-011.

[Pre-Application Signposting]
Ordinance amending Planning Code by adding Section 311.1 to require applicants for certain commercial and retail uses selling goods and services, as defined in Planning Code Article 7, to post a pre-application notice and to submit a declaration that the posting was done at least fifteen (15) days before submittal of the application and making findings of consistency with the priority policies of Planning Code Section 101.1. Supervisors Shelley, Alioto, Teng, Yaki, Ammiano, Brown, Hsieh, Katz presented. Referred to Rules Committee.

File 115-96-012.

Referred to Board

[Commend David Ballati]
Resolution commending Judge David Ballati for his public stance against the use of civil compromise as a resolution in domestic violence cases and for his refusal to use this remedy in his own courtroom. Supervisors Kaufman, Leal, Teng, Katz, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 15, 1996.

File 006-96-151.

[Commend Mark Izu/Asian American Jazz]
Resolution commending Mark Izu and Silk Road: Asian Concepts in Jazz and declaring October 24, 1996 as "Asian American Jazz Day". Supervisor Teng presented. Referred to Board For Adoption Without Committee Reference Calendar October 15, 1996.

File 006-96-152.

[Commend Bernal Heights Neighborhood Center]
Resolution commending the Bernal Heights Neighborhood Center in honor of their Fiesta on the Hill on October 19, 1996. Supervisors Shelley, Ammiano presented. Referred to Board For Adoption Without Committee Reference Calendar October 15, 1996.

File 006-96-153.

[Commend Life Lobby and Life Institute]
Resolution commending the Life Lobby and Life Institute for their invaluable work and congratulating the Life Lobby on the occasion of its Tenth Anniversary. Supervisor Alioto presented. Referred to Board For Adoption Without Committee Reference October 15, 1996.

File 006-96-154.

[Commend Jerome Caja]
Resolution congratulating and saluting the late Jerome Caja for his outstanding work as an artist and declaring October 11, 1996 Jerome Caja Day. Supervisor Ammiano presented. Referred to Board For Adoption Without Committee Reference Calendar October 15, 1996.

File 006-96-155.

[Abandonment, 29-Sunset Municipal Railway Service]
Resolution approving partial abandonment of 29-Sunset Service to facilitate a minor reroute in the main post area of the Presidio and partial discontinuance of certain late night trips. Supervisor Yaki presented. Scheduled for public hearing before Board on October 21, 1996, at 3:00 p.m.

File 007-96-006.

[29-Sunset Partial Abandonment of Service]
Resolution disapproving partial abandonment of 29-Sunset service to facilitate a minor reroute in the main post area of the Presidio and partial discontinuance of certain late night trips. Supervisor Yaki presented. Scheduled for public hearing before Board on October 21, 1996, at 3:00 p.m.

File 007-96-006.01.

[Domestic Violence/Civil Compromise]
Resolution reasserting the finding of the Board of Supervisors that domestic violence is a serious crime and not a civil dispute and that civil compromise is an inappropriate resolution in domestic violence cases; and urging the State Legislature to take up this issue again and to prohibit the use of civil compromise in domestic violence cases as one of its first orders of business during its new 1997 session. Supervisors Kaufman, Leal, Alioto, Shelley, Teng, Katz presented. Referred to Board For Adoption Without Committee Reference Calendar October 15, 1996.

File 012-96-043.

Referred to Committee

[Neighborhood Commercial District Evaluations]
Resolution requesting the Planning Commission to undertake an evaluation of neighborhood commercial districts, as defined in Planning Code Section 702.1 and other neighborhoods, setting forth goals for the evaluation, including determining what appropriate changes are needed to preserve neighborhood commercial character, and requesting a report to be submitted on the results of the evaluation. Supervisors Shelley, Alioto, Teng, Yaki, Ammiano, Brown, Hsieh, Katz presented. Rules

File 189-96-003.

[Hate Crimes/Discrimination Against Immigrants]
Resolution urging the San Francisco Police Department to develop a plan and the San Francisco Human Rights Commission to hold hearings to address the increase in hate crimes and discrimination against immigrants arising from passage of state and federal anti-immigrant laws. Supervisors Teng, Katz, Brown, Bierman, Kaufman, Leal, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 207-96-011.

Referred to Board

[Children/Youth Summit Commitment to Action]
Resolution endorsing and supporting the Commitment to Action put forth and signed at the San Francisco Children and Youth Summit, October 5-6, 1996. Supervisor Yaki presented. Referred to Board For Adoption Without Committee Reference Calendar October 15, 1996.

File 215-96-003.

Requests for Hearings:

[Labor Issues]
Hearing to consider the labor standards and practices of city parking concessionaires. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 176-96-008.

[Public Library Italian-American Center]
Hearing to consider the establishment of an Italian-American Center at the new Main Library. Supervisor Alioto presented. Referred to Budget Committee.

File 225-96-004.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board For Adoption Without Committee Reference Calendar October 15, 1996.

File 030-96-001.20.

Referred to Committee

[Off-Site Meeting, Government Efficiency/Labor]
Motion ordering the December 1996 meeting of the Government Efficiency and Labor Committee of the Board of Supervisors to be held on December 12, 1996, at 5:30 p.m. at the Everett Middle School, 450 Church Street. Supervisor Ammiano presented. Referred to Rules Committee with request it be considered at the October 15, 1996 meeting.

File 054-96-009.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-079. [Stone et al., v. CCSF et al.] Ordinance authorizing settlement of appellate attorneys' fees litigation in Stone, et al., v. City and County of San Francisco, et. al., including the payment of $113,200 in attorneys' fees. (U.S. Court of Appeal No. 94-16015 and U.S. District Court No. C78-2774 WHO). (City Attorney) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 047-96-011. [Lease, 205-13th Street Off-Street Parking] Resolution authorizing the lease agreement for off-street parking at 205-13th Street for the Department of Building Inspection effective the later of September 23, 1996 or upon the date City receives 24-hour notice to vacate their current parking site. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 048-96-042. [Settlement of Claim, Maryann Acosta] Resolution approving the settlement of the unlitigated claim of Maryann Acosta by payment of $15,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-043. [Settlement of Claim, Balboa Life and Casualty] Resolution approving the settlement of the unlitigated claim of Balboa Life and Casualty by payment of $9,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-016.01. [Assignment/Assumption of Leases, Treasure Island] Resolution approving an agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco regarding the assignment and assumption of certain leases, subleases, a license, and sublicense relating to Naval Station Treasure Island. (Mayor) Referred to Government Efficiency/Labor Committee.

File 085-96-002. [Mid-Embarcadero Separator Structure Project] Resolution adopting findings under the California Environmental Quality Act, approving the DPT variant of the Mid-Embarcadero roadway terminal separator structure replacement project, and authorizing Department of Public Works to accept and expend Federal Emergency Relief funds; companion measure to Files 85-96-3 and 271-96-3. (Also see File 85-95-5). (City Administrator-Waterfront Transportation Projects) Referred to Housing and Land Use Committee with request it be considered at the October 24, 1996 meeting.

File 085-96-003. [Urban Design Concept, Mid-Embarcadero Project] Resolution endorsing the urban design concept for the Mid-Embarcadero roadway and open space subject to design criteria approved by the Port Commission and limiting improvements on Assessor's Blocks 202 and 203; companion measure to Files 85-96-2 and 271-96-3) (Also see File 85-95-5). (City Administrator Waterfront Transportation Projects) Referred to Housing and Land Use Committee with request it be considered at the October 24, 1996 meeting.

File 130-96-001.01. [Grant - State, Adult Probation Drug Abatement] Resolution authorizing retroactively the Chief Adult Probation Officer of the City and County of San Francisco to apply for, accept and expend funds in the amount of $180,774 which includes indirect costs in the amount of $9,039 based on five percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project"; rescinding Resolution 649-96. (Adult Probation Department) Referred to Government Efficiency/Labor Committee.

File 133-96-005. [Grant - State, Household Hazardous Waste] Resolution authorizing the City Administrator of the City and County of San Francisco to apply for up to $120,000 in discretionary grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs; providing for ratification of action previously taken. (City Administrator) Referred to Government Efficiency/Labor Committee.

File 143-96-005. [Community Policing to Combat Domestic Violence] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of Two Hundred Thousand Dollars ($200,000.00) excluding indirect costs not allowed under this program, for a project known as the "Community Policing to Combat Domestic Violence" and agreeing to provide an in-kind match in the amount of Eighty-Nine Thousand One-Hundred Fifty-Eight Dollars ($89,158). (Police Department) Referred to Government Efficiency/Labor Committee.

File 143-96-006. [Federal Grant, "COPS-Universal Hiring" Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of Seven Hundred Fifty Thousand Dollars ($750,000), excluding indirect costs not permissible under this program, for new funding for a three-year project entitled, "Community Oriented Policing Services-Universal Hiring Program" (COPS-Universal Hiring), plus a cash match of Nine Hundred Twenty-Five Thousand Seven Hundred Fifty Dollars ($925,750). (Police Department) Referred to Government Efficiency/Labor Committee.

File 146-96-021. [State Grant, Childhood Lead Prevention Program] Resolution authorizing the Department of Public Health, Childhood Lead Prevention Program, to retroactively accept and expend the Medi-Cal allocation of $101,533 which includes indirect costs in the amount of $16,807 based on 20% of salaries from the Department of Health Services for childhood lead poisoning case management of Medi-Cal enrolled or eligible children. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-022. [Acceptance/Expenditure of State Grant Funds] Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for 1996-97. (Department of Public Health) Referred to Government Efficiency/Labor Committee with request it be considered at the October 22, 1996 meeting.

File 146-96-023. [Federal Grant, Substance Abusing Pregnant Women] Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively a grant in the amount of $195,034, which includes indirect costs in the amount of $33,849, based on 21% of direct costs, from the Department of Health and Human Services, Public Health Service, for a research project to study the effectiveness of a strategy for substance abusing pregnant women. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-96-035. [Agreement, CCSF/University of California] Resolution approving mutual indemnification provision in an agreement between the Adult Probation Department of the City and County of San Francisco, and the Regents of the University of California, for evaluation services as specified in the Criminal Justice Network Treatment Grant. (Adult Probation Department) Referred to Government Efficiency/Labor Committee.

File 271-96-003. [General Plan Amendment, Terminal Separator] Resolution approving amendments to the San Francisco General Plan in order to conceptually approve the Mid-Embarcadero Replacement Project and the terminal separator structure replacement project. The amendments were adopted by the Planning Commission by Resolution No. 14194 on September 19, 1996, incorporating by reference findings pursuant to the California Environmental Quality Act as analyzed in the Final Environmental Impact Report for the alternatives to replacement of the Embarcadero Freeway and the terminal separator structure, File No. 92.202E/94.060E; companion measure to Files 85-96-2 and 85-96-3). (City Administrator-Waterfront Transportation Projects) (Planning Department Resolution No. 14195 adopted 9/19/96 finding the project consistent with the eight Priority Policies and in conformity with the General Plan) Referred to Housing and Land Use Committee with request it be considered at the October 24, 1996 meeting.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that City Attorney prepare resolution expanding the Mission Street liquor license moratorium to include the five block section of Mission Street south of Cesar Chavez (between Randall and Cesar Chavez); Valencia Street between Mission Street and Cesar Chavez; San Jose Avenue between Randall and Cesar Chavez; 29th Street between Mission Street and San Jose Avenue; 30th Street between Mission Street and San Jose Avenue; and Cesar Chavez between San Jose and Capp Streets.

By Supervisor Katz, that City Attorney prepare the following ordinances or resolutions:

1. Ordinance to amend the defintition of fast food, in relation to the permitting process, to include restaurants where orders are taken at the counter and food is served on disposable plates or containers and/or disposable utensils are used even if the food is served to the customer at a table;

2. Resolution imposing a two-year moratorium on self-service restaurants, coffee shops and juice bars in the Castro-Upper Market area;

3. Ordinance preventing restaurants or bars from expanding their size by taking over the space of a neighboring store that is not presently a restaurant or bar in neighborhoods where there is a limit on the number of restaurants or bars allowed; and

4. Ordinance to repeal the three-year grandfather clause that allows business to move into a retail space, or food service provider, that was occupied by a non-conforming business and operate another non-conforming business in that space.

ADJOURNMENT

There being no further business, the Board at the hour of 4:58 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 18, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Tuesday, October 15, 1996

/96

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, October 15, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Katz - 1.

Quorum present.

Supervisor Katz Excused

The Clerk stated Supervisor Katz requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Bierman, moved to excuse Supervisor Katz.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Bierman, moved that the Journal of Proceedings for Monday, September 16, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

SPECIAL ORDER 2:00 P.M.

Report Received

[State of the City]
Mayor's Annual State of the City Message.

File 88-96-2

President Shelley introduced the Honorable Mayor, Willie L. Brown, Jr:

The Mayor addressed the Board of Supervisors outlining his plans in four major areas: economic development, housing, quality of life issues and government reform. He submitted a written report listing achievements and overview of the work done in the various city departments and agencies (copy of which is on file with the Clerk of the Board of Supervisors).

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Business and Economic Development] Ordinance appropriating $231,180, Department of Business and Economic Development, of grant and rental revenue for salaries, fringe benefits, travel, training, for professional services, materials and supplies, equipment and services of other departments, for the creation of two (2) positions, for the Treasure Island Base Conversion Project. (Controller)

File 101-96-11, Ordinance No. 403-96

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment]
Ordinance amending Ordinance No. 298-96, Annual Salary Ordinance, 1996/97, Department of Business and Economic Development reflecting the creation of two (2) positions; companion measure to File 101-96-11. (Department of Human Resources)

File 102-96-4, Ordinance No. 404-96

(Fiscal Impact.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Millicent and John Rutherford v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Millicent and John Rutherford against the City and County by payment of $95,000. (City Attorney)

File 45-96-60, Ordinance No. 389-96

(Superior Court No. 969-806.)

Finally passed.

[Lillian Eng v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Lillian Eng against the City and County by payment of $16,000. (City Attorney)

File 45-96-61, Ordinance No. 390-96

(Superior Court No. 964-732.)

Finally passed.

[CSE Insurance Company, v. CCSF]
Ordinance authorizing settlement of litigation of CSE Insurance Company against Debra F. Borthne, City and County by payment of $10,327.27. (City Attorney)

File 45-96-63, Ordinance No. 391-96

(Municipal Court No. 128-103.)

Finally passed.

[Santa Clara County v. CCSF]
Ordinance authorizing settlement of litigation of County of Santa Clara v. City and County of San Francisco and the City's conveyance of an easement to the County of Santa Clara for $1,250. (City Attorney)

File 45-96-64, Ordinance No. 392-96

(Santa Clara County Superior Court Action No. CV 757163.)

Finally passed.

[Strain and Smith v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Lisa Strain and Desiree Smith against the City and County by payment of up to $75,000. (City Attorney)

File 45-96-65, Ordinance No. 393-96

(U.S. District Court No. C95-04652 SAW.)

Finally passed.

[Loewinsohn v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Lee Jacob Loewinsohn against the City and County by payment of $80,000. (City Attorney)

File 45-96-66, Ordinance No. 394-96

(Superior Court No. 970-640.)

Finally passed.

[Grant of Easement, County of San Mateo]
Ordinance authorizing conveyance of trail easements over Water Department Peninsula Watershed to the County of San Mateo. (Real Estate Department)

File 82-96-3, Ordinance No. 396-96

Finally passed.

Passed for Second Reading

[Jane Doe v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Jane Doe against the City and County by payment of $452,475. (City Attorney)

File 45-96-67, Ordinance No.

(USDC, Northern District of California Case No. C95-1733.)

Passed for second reading.

[Whitfield v. CCSF, et al]
Ordinance authorizing settlement of litigation of Alejandro Whitfield against the City and County by payment of $8,500. (City Attorney)

File 45-96-68, Ordinance No.

(USDC, Northern District of California Case No. C96-2099 WHO.)

Passed for second reading.

[Palkin/Golden City Tours v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Katherine Palkin and Golden City Tours against the City and County by payment of $35,000. (City Attorney)

File 45-96-69, Ordinance No.

(Superior Court No. 974-431.)

Passed for second reading.

[Angela Tardio v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Angela Tardio against the City and County by payment of $50,000. (City Attorney)

File 45-96-70, Ordinance No.

(Superior Court No. 971-157.)

Passed for second reading.

[Su Ping Chen Liu v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Su Ping Chen Liu against the City and County by payment of $15,000, plus waiver of a medical lien in the amount of $7,070.05. (City Attorney)

File 45-96-71, Ordinance No.

(Superior Court No. 933-460.)

Passed for second reading.

[Virgilio Estillore v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Virgilio Estillore against the City and County by payment of $8,000. (City Attorney)

File 45-96-72, Ordinance No.

(Superior Court No. 975-030.)

Passed for second reading.

[Joanne Welsh v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Joanne Welsh against the City and County by payment of $288,106. (City Attorney)

File 45-96-73, Ordinance No.

(U.S. District Court No. C93-3722 DLJ.)

Passed for second reading.

[Medina v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Medina against the City and County by payment of $91,500. (City Attorney)

File 45-96-74, Ordinance No.

(Superior Court No. 977-778.)

Passed for second reading.

[Ok Song Kim, et al. v. CCSF et al.]
Ordinance authorizing settlement of litigation of Ok Song Kim against the City and County by payment of $11,500. (City Attorney)

File 45-96-75, Ordinance No.

(S.F. Municipal Court No. 110-129.)

Passed for second reading.

[Christian Vargas et al., v. CCSF et al.]
Ordinance authorizing settlement of litigation of Christian Vargas, a minor by and through his Guardian Ad Litem, Elsa Vargas; and Elsa Vargas, individually, against the City and County by payment of $8,161. (City Attorney)

File 45-96-76, Ordinance No.

(Superior Court No. 968-433.)

Passed for second reading.

[Frank S. Lee v. CCSF]
Ordinance authorizing settlement of litigation in the matter entitled Lee v. the City and County, by payment of $27,500. (City Attorney)

File 45-96-77, Ordinance No.

(Superior Court Case No. 974-074.)

Passed for second reading.

[Andrea Johnson v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Andrea Johnson against the City and County by payment of $32,500. (City Attorney)

File 45-96-78, Ordinance No.

(Superior Court No. 963-945.)

Passed for second reading.

Adopted

[License Agreement for Off-Street Parking]
Resolution authorizing the license agreement for a parking lot at 140 South Van Ness Avenue for the Department of Human Services, retroactive to July 29, 1996. (Real Estate Department)

File 47-96-9, Resolution No. 931-96

Adopted.

[License Agreements for Off-Street Parking]
Resolution authorizing the license agreements for (1) a parking lot at Colusa Place and Colton Street and (2) parking garage at 1500 Mission Street for the Department of Human Services, retroactive to July 29, 1996 and August 26, 1996, respectively. (Real Estate Department)

File 47-96-10, Resolution No. 932-96

Adopted.

[Settlement of Claim, Clarence Paton]
Resolution approving the settlement of unlitigated claim of Clarence Paton by payment of $190,000. (City Attorney)

File 48-96-36, Resolution No. 933-96

Adopted.

[Settlement of Claim, USF&G Insurance]
Resolution approving the settlement of the unlitigated claim of USF&G Insurance (Insured, Adams and Cantwell) by payment of $22,000. (City Attorney)

File 48-96-37, Resolution No. 934-96

Adopted.

[Settlement of Claim, David Tise]
Resolution approving the settlement of the unlitigated claim of David Tise by payment of $13,500. (City Attorney)

File 48-96-38, Resolution No. 935-96

Adopted.

[Settlement of Claim, Robert Wickser]
Resolution approving the settlement of the unlitigated claim of Robert Wickser by payment of $15,000. (City Attorney).

File 48-96-39, Resolution No. 936-96

Adopted.

[Settlement of Claim, Allstate Insurance]
Resolution approving the settlement of the unlitigated claim of Allstate Insurance (Insured, Walter Ware) by payment of $7,000. (City Attorney)

File 48-96-40, Resolution No. 937-96

Adopted.

[Claim, California State Automobile Association]
Resolution approving the settlement of the unlitigated claim of California State Automobile Association by payment of $12,099.60. (City Attorney)

File 48-96-41, Resolution No. 938-96

Adopted.

[Lease of Property at 1145 Market Street]
Resolution authorizing a lease of real property at 1145 Market Street for Public Transportation Department and Department of Human Resources. (Real Estate Department)

File 64-96-18, Resolution No. 941-96

Adopted.

[Lease of Property at 1155 Market Street]
Resolution authorizing a lease of real property at 1155 Market Street for the Public Utilities Commission. (Real Estate Department)

File 64-96-19, Resolution No. 942-96

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of classifications AB05 Deputy Clerk, AB06 Deputy Clerk I, AB07 Information Clerk, and AB08 Assistant Division Chief Clerk, Parking and Traffic Department into the State Disability Insurance Program. (Department of Human Resources)

File 89-96-9, Resolution No. 944-96

Adopted.

[Grant - State, Adult Probation Drug Abatement]
Resolution authorizing retroactively the Chief Adult Probation Officer to apply for, accept and expend funds in the amount of $180,774 which includes indirect costs in the amount of $9,039 based on five percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project"; rescinding Resolution 649-96. (Adult Probation Department)

File 130-96-1.1, Resolution No. 947-96

Adopted.

[State Grant, Career Criminal Prosecution Program]
Resolution authorizing the District Attorney to retroactively apply for, accept and expend grant funds in the amount of $197,178 including indirect costs of $9,389 made available through the California Office of Criminal Justice Planning for the operation of the Career Criminal Program for the twelve month period July 1, 1996 through June 30, 1997. (District Attorney)

File 138-96-11, Resolution No. 948-96

Adopted.

Grant, Drug Abatement Project]
Resolution authorizing retroactively the Sheriff to apply for, accept, and expend funds in the amount of $61,919 which include indirect costs in the amount of $3,096 based on five percent of the project costs made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Drug Abatement Project." (Supervisor Leal)

File 152-96-2, Resolution No. 951-96

Adopted.

Recommendations of Housing and Land Use Committee

Finally Passed

[Affordable Housing Special Use District]
Ordinance amending Planning Code, to create an Affordable Housing Special Use District at Third Street and Armstrong Avenue. (Supervisors Brown, Teng, Bierman)

File 81-96-1, Ordinance No. 395-96

(Adds Section 249.17.)

(August 8, 1996 - Approved by Planning Commission Resolution No. 14176.)

Finally passed.

[Zoning Map, Affordable Housing, 5545 Third Street]
Ordinance adopting a new Special Use District as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6, Assessor's Block 5419, to establish the Third Street and Armstrong Avenue Affordable Housing Special Use District, and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 36-96-4.1. (Supervisors Brown, Teng, Bierman)

File 36-96-4, Ordinance No. 387-96

(August 8, 1996 - Approved by Planning Commission Resolution No. 14178.)

Finally passed.

[Zoning Map Height and Bulk, 5545 Third Street]
Ordinance adopting a change to the Height and Bulk Classification as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6, Assessor's Block 5419, to change the Height and Bulk Classification from 40-X to 40-65-J, and adopting findings pursuant to Planning Code Section 101.1. (Supervisors Brown, Teng, Bierman)

File 36-96-5, Ordinance No. 388-96

(August 8, 1996 - Approved by Planning Commission Resolution No. 14179.)

Finally passed.

[Bayview Senior Housing Project]
Ordinance amending Planning Code, to create special exceptions in the 40-65-J Special Height and Bulk District. (Supervisors Brown, Teng, Bierman)

File 115-96-5, Ordinance No. 406-96

(Adds Section 263.13.)

(August 8, 1996 - Approved by Planning Commission Resolution No. 14177.)

Finally passed.

[Changing Width of Sidewalk, Tompkins Avenue]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official sidewalk width on the south side of Tompkins Avenue between Putnam Street and Peralta Avenue, retroactive to May 21, 1996, as shown on the Department of Public Works Drawing labeled Q-20-430 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-10, Ordinance No. 385-96

(Adds Section 1530.)

Finally passed.

[Changing Official Grade of Street]
Ordinance establishing official grades on the west side of Peralta Avenue at Tompkins Avenue and on Putnam Street between Tompkins Avenue to 37 feet south of Ogden Avenue, as shown on the Department of Public Works Drawings labeled Q-20-431 and Q-20-432 and making findings pursuant to Planning Code Section 101.1; companion measure to File 34-96-10. (Department of Public Works)

File 139-96-1, Ordinance No. 410-96

Finally passed.

[Changing Width of Sidewalk, Oakdale Avenue]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section No. 1531 changing the official sidewalk width on Oakdale Avenue between Phelps Street and Quint Street, as shown on the Department of Public Works Drawing Labeled Q-20-460, and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-11, Ordinance No. 386-96

Finally passed.

[Housing Code - Lead Hazards]
Ordinance amending Housing Code to change the definition of nuisance to include dwelling units subjected to hazard reduction orders or emergency orders under Sections 1628 and 1630 of the Health Code. (Building Inspection Commission)

File 125-96-1, Ordinance No. 407-96

(Amends Section 401.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Relocation Assistance/Lead Administration Fund]
Ordinance amending Administrative Code, creating the Relocation Assistance Lead Administration Fund, into which the fees imposed on owners of properties built or rehabilitated before 1978 will be deposited to provide for the costs of relocation assistance and administration incurred in the remediation of lead hazards in residential units occupied by a lead poisoned child. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 97-96-47, Ordinance No. 397-96

(Adds Section 10.117-116.)

Finally passed.

[Rent Escrow Account Program]
Ordinance amending Administrative Code, authorizing the Department of Public Health to collect rents for residential units occupied by a lead poisoned child and deposit them into a rent escrow account to be used to abate lead hazards in conjunction with abatement funds available in Health Code Section 599; mandating that said escrow funds be used solely to abate the unsafe conditions arising from lead hazards upon the owners' failure to abate such hazards; providing that payment of an administrative fee equal to the reasonable cost of administration of the escrow account be paid by the owner and deposited in the account, and further providing that payment of rent into said account is not a basis for eviction. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 97-96-48, Ordinance No. 398-96

(Adds Chapter 74, Sections 74.1 through 74.15.)

Finally passed.

[Establishment of Regulatory Fee for Lead Hazard Abatement Program] Ordinance amending Administrative Code, to establish a regulatory fee and revolving fund to subsidize the costs of tenant relocation and to cover the reasonable costs incurred by the Department of Public Health in administering the Lead Hazard Abatement Program. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 97-96-49, Ordinance No. 399-96

(Creates Chapter 73, Sections 73.1 through 73.9.)

Finally passed.

[Relocation Assistance for Lead Hazard Remediation]
Ordinance amending Administrative Code, mandating relocation assistance be provided to residents vacated from residential units deemed unsafe due to the presence of lead hazards or due to the unpermitted use of a residence discovered pursuant to a lead hazard inspection, provided that the costs of short term relocation and associated administrative costs shall be paid for by the fees collected pursuant to Administrative Code Chapter 73, and further providing criminal sanction for failure to provide such assistance. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 97-96-50, Ordinance No. 400-96

(Creates Chapter 72, Sections 72.1 through 72.7.)

Finally passed.

[Passthroughs and Evictions Based on Lead Remediation Work] Ordinance amending Administrative Code, to permit rent increases for Lead Hazard Remediation Work; to limit passthroughs of rent increases for capital improvements and operating and maintenance costs of lead hazard remediation activities to 10% of a tenant's base rent and to regulate passthroughs for lead hazard remediation activities where deferred maintenance contributes to the existence of the lead hazard; and, to create a just cause eviction for lead remediation work. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 109-96-3, Ordinance No. 405-96

(Amends Sections 37.3 and 37.9.)

Finally passed.

[Lead Housing Nuisances]
Ordinance amending Housing Code to change the definition of nuisance to include dwelling units subjected to hazard reduction orders or emergency orders under Sections 1628 and 1630 of the Health Code. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 125-96-1.1, Ordinance No. 408-96

(Amends Section 401.)

Finally passed.

[Lead Hazards]
Ordinance amending Health Code, Article 26, and adding new authority for the Director of Public Health to issue nuisance abatement orders against defined lead hazards, to require posting of lead hazard information by landlords and home improvement stores, and to strengthen the Department of Public Health's management of elevated blood lead level children through treatment and public education. (Supervisors Shelley, Bierman, Leal, Teng, Yaki, Katz, Ammiano, Alioto, Kaufman, Brown, Hsieh)

File 125-96-1.2, Ordinance No. 409-96

(Renumbers Sections 1600 to 1640.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

[Appropriation, Public Transportation-Muni Railway]
Ordinance rescinding $86,568 from materials and supplies in the Muni Operating Fund and appropriating $99,543 to professional services in the Muni Capital Projects Fund, including $12,975 recovered from the contractor, to reimburse the Municipal Railway's Advanced Train Control System Project for the

improper use of grant funds, in response to a Controller's audit, for fiscal year 1996-97; providing for ratification of action previously taken. (Controller)

File 101-96-10, Ordinance No. 402-96

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Recommendation of Housing and Land Use Committee

Passed for Second Reading As Amended

[Hotel Room Tax Administration]
Ordinance amending Municipal Code, Part III, to transfer administration of the Hotel Tax Fund from the Chief Administrative Officer to the Mayor (with respect to housing uses of the fund) and to the City Administrator (with respect to non-housing uses of the fund) and to clarify residency requirements. (Supervisor Brown)

File 127-96-7, Ordinance No.

(Amends Section 515.)

(October 7, 1996 - Consideration continued to October 15, 1996.)

Supervisor Brown, seconded by Supervisor Teng, moved an amendment of the whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Recommendation of Rules Committee

Finally Passed

[Pesticide Use]
Ordinance amending Administrative Code, to require City departments to minimize the use of pesticides and develop integrated pest management policies. (Supervisors Shelley, Bierman, Alioto, Leal, Yaki, Katz, Ammiano, Teng)

File 97-96-52, Ordinance No. 401-96

(Adds Chapter 39, Sections 39.1 through 39.8.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Street Occupancy Fee Waiver]
Resolution waiving the standard fee under Public Works Code Section 724.7 for the temporary use and

occupancy of the northerly side of Hayes Street by the San Francisco Opera's construction of a loading dock. (Supervisors Bierman, Alioto, Teng, Brown, Kaufman, Hsieh)

File 10-96-7, Resolution No. 928-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

[Waiving Street Closing Fees]
Resolution waiving all City fees for "Fiesta on the Hill" for 1995 and 1996 including fees assessed by the Police Department, the Department of Parking and Traffic, the Municipal Railway and the Fire Department charged to the "Fiesta on the Hill" and requesting all City departments to cooperate with 1996 fiesta organizers to assist in making it a success. (Supervisors Ammiano, Bierman)

File 42-96-3, Resolution No. 930-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

[Redevelopment Agency Budget]
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County for fiscal year 1996-97, by amending the budget to provide for the expenditure of $474,205 for consultant and support services for the Mid-Market Redevelopment Survey Area; placing $150,000 on reserve. (Supervisor Hsieh)

File 161-96-4.1, Resolution No. 952-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[MOU, Local 911, Police Officers Association]
Ordinance implementing the provisions of a Memorandum of Understanding between the Police Officers Association, Local 911, SEIU, AFL-CIO and the City and County for Bargaining Units P-1; P-2A and P-2B to be effective for the period July 1, 1996 through June 30, 2001. (Supervisors Shelley, Alioto)

File 93-96-30, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

The President resumed the Chair.

[Settlement, Out-of-Class Pay Grievance]
Ordinance authorizing settlement of the out-of-class pay grievance of Mary Ellen Vergas filed pursuant to the Memoranda of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County in the amount of Five Thousand Dollars ($5,000). (Department of Human Resources)

File 222-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Adopted

[Award Extension - SFWD Contract WD-2121]
Resolution granting retroactively, extension of time for award for Water Department Contract No. WD-2121, iron main installation at Bayshore Boulevard. (Public Utilities Commission)

File 61-96-3, Resolution No. 939-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Brown, Katz - 2.

[Lease of Property/Tenth and Howard Streets]
Resolution authorizing the lease of real property at Tenth and Howard Streets for the Police Department's Crime Prevention Unit. (Real Estate Department)

File 64-96-17, Resolution No. 940-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Brown, Katz - 2.

[Conveyance of Easement, Santa Clara County]
Resolution authorizing settlement of threatened litigation and the City's conveyance of an easement over Water Department pipeline right of way in Santa Clara County. (Real Estate Department)

File 82-96-4, Resolution No. 943-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Brown, Katz - 2.

[Sale of Surplus City-Owned Property]
Resolution confirming sale of surplus City-owned property, Assessor's Block 3644, Lot 5, 1240 Valencia Street for $560,000. (Real Estate Department)

File 96-96-2, Resolution No. 945-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Brown, Katz - 2.

[Grant, California Healthcare for Indigents Program]
Resolution authorizing retroactively the Department of Public Health to apply for, accept and expend a grant allocation of up to $9,079,584 for fiscal year 1996-97 funding from State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, facilities rental personal services, and indirect costs in the amount of $63,855, based on 14.9 percent of administrative and fiscal intermediary costs. (Department of Public Health)

File 146-96-20, Resolution No. 949-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Brown, Katz - 2.

[Grant, Public Library]
Resolution authorizing retroactively, the Public Library to apply for, accept and expend $254,438 to be awarded by the National Science Foundation, Network Infrastructure for Education Program; waiving indirect costs. (Public Library)

File 147-96-7, Resolution No. 950-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Brown, Katz - 2.

[Prevailing Wage Requirements]
Resolution exempting from the prevailing wage provision of Charter Section A7.204 a contract between the City and the San Francisco Conservation Corps to provide silt removal for the Airports Commission. (Airports Commission)

File 172-96-34, Resolution No. 953-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Brown, Katz - 2.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[San Francisco General Plan]
Resolution urging the Planning Commission to amend the General Plan (formerly, San Francisco Master Plan) Objective 18, Vehicle Circulation, Policy 18.5 to discourage non-recreational and non-local traffic in and around parks and along the shoreline recreation areas in residential areas of the city. (Supervisor Alioto)

File 271-96-1, Resolution No. 955-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Brown, Katz - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

The Board of Supervisors met as a Committee of the Whole, with public testimony permitted, to consider:

Proposed Amendments to the following ordinance recommended by the Government Efficiency and Labor Committee, Supervisor Yaki dissenting:

[Campaign Consultant Regulation]
Ordinance amending Administrative Code, to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders and certain former clients who are local officeholders who owe money to the consultant for services

provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. (Supervisors Ammiano, Bierman)

File 97-96-13

(Adds Sections 16.540 through 16.547.)

Proposed Amendment No. 1:

Motion by Supervisor Leal, seconded by Supervisor Ammiano, to delete from Section 16.543(a)(6) the wording "and a statement of the specific purpose for which the client has contracted with the campaign consultant" and to delete from Section 16.543(d) the wording "The Client Authorization Statement must include a statement of the purpose for which the client has employed the campaign consultant."

Proposed Amendment No. 2:

Motion by Supervisor Ammiano, seconded by Supervisor Alioto, that an amendment of the whole dated October 2, 1996, without a change in the title, be substituted for the legislation recommended by committee.

Proposed Amendment No. 3:

Motion by Supervisor Leal, to clarify certain provisions by:

(a) adding to Section 16.543(a)(14) the language "Nothing in this section shall be construed to require that a campaign consultant identify a client or report the debt owned by a client unless the client retains or retained the campaign consultant to provide campaign consulting services to a candidate for local office or a local officeholder who is a candidate for any elective office, or in connection with a local measure.", and

(b) adding to Section 16.543(d) the language "Nothing in this subsection shall be construed to require that a campaign consultant identify a client unless the client retains the campaign consultant to provide campaign consulting services to a candidate for local office or a local officeholder who is a candidate for any elective office, or in connection with a local measure."

Proposed Amendment No. 4:

Motion by Supervisor Leal that there be substituted for the ordinance recommended by committee an amendment of the whole dated October 9, 1996, with the following title:

[Registration of Campaign Consultants, Disqualification of Supervisors] Ordinance amending Administrative Code by adding Sections 16.540-16.547 to require registration of and quarterly reporting by campaign consultants; prohibit a member of the Board of Supervisors, who retains a campaign consultant who is also a lobbyist, from participating in deliberations and decisions on matters on which the campaign consultant lobbies the Board of Supervisors; and prohibit a member of the Board of Supervisors, who has previously retained a campaign consultant who is also a lobbyist, and who owes the campaign consultant money for campaign consulting services provided to help elect the member to the Board of Supervisors, from participating in deliberations and decisions on matters on which the campaign consultant lobbies the Board of Supervisors. (Supervisor Leal)

The privilege of the floor was granted to the following persons:

Jeffrey Gordon Creed;
Jim Sutton.

There being no one else present wishing to speak, the President Pro Tempore declared the public hearing closed.

The President resumed the Chair.

Committee of the Whole Rise and Report Without Recommendation

Passed for Second Reading as Amended

[Campaign Consultant Regulation]
Ordinance amending Administrative Code, to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders and certain former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. (Supervisors Ammiano, Bierman)

File 97-96-13, Ordinance No.

(Adds Sections 16.540 through 16.547.)

(October 7, 1996 - Consideration continued to October 15, 1996.)

Amendment Number 1 Adopted

Supervisor Leal, seconded by Supervisor Ammiano, moved to delete from Section 16.543(a)(6) the wording "and a statement of the specific purpose for which the client has contracted with the campaign consultant" and to delete from Section 16.543(d) the wording "The Client Authorization Statement must include a statement of the purpose for which the client has employed the campaign consultant."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Amendment Number 2 Adopted

Supervisor Ammiano, seconded by Supervisor Alioto, moved that an amendment of the whole dated October 2, 1996, without a change in the title, be substituted for the legislation recommended by committee.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Amendment Number 3 Adopted

Supervisor Leal, moved to clarify certain provisions by: (a) adding to Section 16.543(a)(14) the language "Nothing in this section shall be construed to require that a campaign consultant identify a client or report the debt owned by a client unless the client retains or retained the campaign consultant to provide campaign consulting services to a candidate for local office or a local officeholder who is a candidate for any elective office, or in connection with a local measure.", and

(b) adding to Section 16.543(d) the language "Nothing in this subsection shall be construed to require that a campaign consultant identify a client unless the client retains the campaign consultant to provide campaign consulting services to a candidate for local office or a local officeholder who is a candidate for any elective office, or in connection with a local measure."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Amendment Number 4 Refused Adoption

Motion by Supervisor Leal that there be substituted for the ordinance recommended by committee an amendment of the whole dated October 9, 1996, with the following title:

[Registration of Campaign Consultants, Disqualification of Supervisors] Ordinance amending Administrative Code by adding reporting by campaign consultants; prohibit a member of the Board of Supervisors, who retains a campaign consultant who is also a lobbyist, from participating in deliberations and decisions on matters on which the campaign consultant lobbies the Board Sections 16.540-16.547 to require registration of and quarterly reporting by campaign consultants; prohibit a member of the Board of Supervisors, who retains a campaign consultant who is also a lobbyist, from participating in deliberations and decisions on matters on which the campaign consultant lobbies the Board of Supervisors; and prohibit a member of the Board of Supervisors, who has previously retained a campaign consultant who is also a lobbyist, and who owes the campaign consultant money for campaign consulting services provided to help elect the member to the Board of Supervisors, from participating in deliberations and decisions on matters on which the campaign lobbies the Board of Supervisors. (Supervisor Leal)

There being no objection, the roll was called on the pending amendment of the whole and it was refused adoption by the following vote:

Ayes: Supervisors Ammiano, Leal - 2.

Noes: Supervisors Alioto, Bierman, Brown, Hsieh, Kaufman, Shelley, Teng, Yaki - 8.

Absent: Supervisor Katz - 1.

Motion to Amend Withdrawn

Supervisor Yaki, seconded by Supervisor Kaufman, moved to amend page five, by deleting "Section 16.542(b)(1) a current client who is a local officeholder" and page three, line 6, by deleting "persons who are employees of a campaign consultant".

After a brief debate, there being no objection, Supervisor Yaki withdrew his motion to amend.

The roll was then called on the pending ordinance as amended (16 page document dated October 9, 1996) and it was passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal, Shelley, Teng, Yaki - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Katz - 1.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

Supervisor Brown, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Katz - 1.

Recess

The Board recessed at the hour of 5:09 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 5:30 p.m., reconvened.

Calling the Roll

The following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Yaki - 9.

Noted Absent:

Supervisors Katz, Teng - 2.

Quorum presented.

Supervisor Katz absent. (See supra.)

Supervisor Teng was noted present at 5:33 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against

Viacom and or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations concerning possible litigation.

Supervisor Brown, seconded by Supervisor Kaufman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Shelley, Yaki - 9.

Absent: Supervisors Katz, Teng - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Female speaker, supports Mayor
Leboriae P. Smoore, police brutality.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Cable TV Franchise Confidential Communications]
Motion waiving the attorney-client privilege regarding the two cable television franchise confidential communications from the City Attorney's office for which the Board of Supervisors holds the attorney-client privilege, and directing the Clerk to place these documents in Board File No. 32-96-1.4. (Supervisors Ammiano, Shelley, Katz, Yaki)

File 32-96-1.7

(September 30, 1996 - Consideration continued to October 15, 1996.)

At the request of Supervisor Ammiano, referred to Rules Committee.

Supervisor Yaki requested to be added as co-sponsor.

The President resumed the Chair.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Commend David Ballati]
Resolution commending Judge David Ballati for his public stance against the use of civil compromise as a resolution in domestic violence cases and for his refusal to use this remedy in his own courtroom; and encouraging Judge Ballati to continue his enlightened approach to adjudicating cases of domestic violence and further encouraging other judges in the City and County to follow Judge Ballati's lead by refusing to use civil comprise in their own courtrooms. (Supervisors Kaufman, Leal, Teng, Katz, Alioto, Shelley, Yaki)

File 6-96-151, Resolution No. 922-96

(October 7, 1996 - Introduced in Board for consideration on October 15, 1996.)

Supervisor Kaufman, seconded by Supervisor Yaki, moved an amendment of the whole entitled, Resolution commending Judge David Ballati for his public stance against the use of civil compromise as a resolution in domestic violence cases and for his refusal to use this remedy in his own courtroom; and encouraging Judge Ballati to continue his enlightened approach to adjudicating cases of domestic violence and further encouraging other judges in the City and County to follow Judge Ballati's lead by refusing to use civil compromise in their own courtrooms."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Katz, Shelley - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Katz, Shelley - 5.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Mark Izu/Asian American Jazz]
Resolution commending Mark Izu and Silk Road: Asian Concepts in Jazz and declaring October 24, 1996 as "Asian American Jazz Day". (Supervisors Teng, Yaki, Brown)

File 6-96-152, Resolution No. 923-96

(October 7, 1996 - Introduced in Board for consideration on October 15, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Brown requested to be added as co-sponsors.

[Commend Bernal Heights Neighborhood Center]
Resolution commending the Bernal Heights Neighborhood Center in honor of their Fiesta on the Hill on October 19, 1996. (Supervisors Shelley, Ammiano, Yaki, Bierman, Brown, Leal)

File 6-96-153, Resolution No. 924-96

(October 7, 1996 - Introduced in Board for consideration on October 15, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Bierman, Brown, Leal requested to be added as co-sponsors.

[Commend Life Lobby and Life Institute]
Resolution commending the Life Lobby and Life Institute for their invaluable work and congratulating the Life Lobby on the occasion of its Tenth Anniversary. (Supervisors Alioto, Bierman, Brown, Leal)

File 6-96-154, Resolution No. 925-96

(October 7, 1996 - Introduced in Board for consideration on October 15, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Leal requested to be added as co-sponsors.

[Commend Jerome Caja]
Resolution congratulating and saluting the late Jerome Caja for his outstanding work as an artist and declaring October 11, 1996 Jerome Caja Day. (Supervisor Ammiano)

File 6-96-155, Resolution No. 926-96

(October 7, 1996 - Introduced in Board for consideration on October 15, 1996.)

Adopted.

[Domestic Violence/Civil Compromise]
Resolution reasserting the finding of the Board of Supervisors that domestic violence is a serious crime and not a civil dispute and that civil compromise is an inappropriate resolution in domestic violence cases; and urging the State Legislature to take up this issue again and to prohibit the use of civil compromise in domestic violence cases as one of its first orders of business during its new 1997 session. (Supervisors Kaufman, Leal, Alioto, Shelley, Teng, Katz, Bierman)

File 12-96-43, Resolution No. 929-96

(October 7, 1996 - Introduced in Board for consideration on October 15, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Children/Youth Summit Commitment to Action]
Resolution endorsing and supporting the Commitment to Action put forth and signed at the San Francisco Children and Youth Summit, October 5-6, 1996. (Supervisors Yaki, Bierman, Brown)

File 215-96-3, Resolution No. 954-96

(October 7, 1996 - Introduced in Board for consideration on October 15, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown requested to be added as co-sponsors.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.20

(October 7, 1996 - Introduced in Board for consideration on October 15, 1996.)

Adopted.

[Full Employment Zone]
Resolution supporting a "Full Employment Zone" for San Francisco by insuring that all adult San Franciscans have an opportunity for living wage job and that our youth have an adequate preparation for meaningful work; endorsing Federal Legislation, H.R. 1050, "A Livable Wage Act" and State Legislation, A.B. 2857, "Livable Wage Act; and declaring the week of October 13-19 as "Jobs for All Week". (Supervisors Yaki, Alioto, Ammiano, Bierman, Katz, Leal, Teng)

File 13-96-41, Resolution No. 956-96

(October 9, 1996 - Referred to Board for consideration on October 15, 1996.)

Adopted.

[Final Map, 390-398 Guerrero Street]
Motion approving final map of 390-398 Guerrero Street, a Business and Residential Condominium Project, being a subdivision of Lot 15 in Assessor's Block 3556, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-36

(October 3, 1996 - Referred to Board for consideration on October 15, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Katz, Shelley - 5.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following motions.

Adopted

[Serious Injury Finding]
Motion that the Board finds by roll call vote that for the resolution (s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Katz, Shelley - 5.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Katz, Shelley - 5.

[Imperative Resolutions]

Adopted

[Commend California College of Arts and Crafts]
Resolution commending California College of Arts and Crafts on the occasion of the inauguration of its new San Francisco campus and for its long commitment to education in the City and County of San Francisco.

File 006-96-156, Resolution No. 927-96

Supervisors Kaufman, Leal, Alioto, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Katz, Shelley - 5.

[Extension of Time for Planning Commission]
Resolution extending to December 31, 1996 the time for the Planning Commission to render its decision on an amendment to the Planning Code initiated by the Board of Supervisors to permit transit shelter advertising on median transit boarding platforms on the Embarcadero and King Street.

File 115-96-008.01, Resolution No. 946-96

Supervisor Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Alioto, Bierman, Hsieh, Katz, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Former Charter Provisions]
Ordinance amending Administrative Code by adding Section 2A.190 relating to the Department of Public Works. Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered at the October 22, 1996 meeting.

File 097-96-019.05.

[Former Charter Provisions]
Ordinance amending Administrative Code by adding Sections 16.5, 16.96-1 and 16.9-31 to codify Sections 8.311, 8.410 and 8.411 of the 1932 Charter, respectively; amending Sections 16.4 and 16.89-17 to codify Sections 7.702 and 8.104 of the 1932 Charter respectively; making necessary changes to conform to the 1996 Charter; and repealing former charter Sections 7.701, 7.702, 7.703, 8.104, 8.106, 9.104, 9.113, 9.114 and 9.115 converted to ordinance by operation of Charter Section 18.103. Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered at the October 22, 1996 meeting.

File 097-96-019.06.

[Former Charter Provisions]
Ordinance amending Administrative Code by adding Sections 16.702, 2A.170, 2A.171, 2A.172, 2A.180, 10.04, 10.05, 10.06, 10.07, 10.08, 10.19-1, 10.19-2, 10.08-1, 10.08-2, 2.60, 10.19-3, 10.117-116, 10.117-117, 1.20, 10.158-1, 6.07, 6.64, 6.65, 2.61, 2.62, 2.63, 23.1-1, 23.25-2, 23.25-3, 23.6-3, 2A.173, 1.51, 1.52, 1.53, 1.54 and 1.55 to codify Sections 3.680, 3.691, 3.693, 3.694, 3.698-3, 6.207, 6.301, 6.302, 6.303, 6.304, 6.309, 6.310, 6.312, 6.313, 6.401 6.402, 6.407-1, 6.407-2, 6.410, 7.104, 7.201, 7.202, 7.206, 7.304, 7.306, 7.308, 7.401, 7.402, 7.403, 7.403-1, 7.404, 7.405, 7.600, 7.601, 7.604, 7.605 and 7.606 of the 1932 Charter,respectively; making necessary changes to conform to the 1996 Charter; and repealing former Charter Sections 3.692, 3.698-1, 3.698-2, 3.699-2, 3.707, 6.400, 6.403, 6.407, 6.408, 7.205, 7.402-1 and 7.602. converted to ordinance by operation of Charter Section 18.103. Supervisor Kaufman presented. Referred to Select Committee on Charter Implementation with request it be considered at the October 22, 1996 meeting.

File 097-96-019.07.

[Displaced Worker Protection Act]
Ordinance amending Administrative Code by adding Chapter 75 to provide for the retention of security, janitorial and building maintenance workers when a successor contract is awarded. Supervisor Yaki presented. Referred to Government Efficiency/Labor Committee.

File 097-96-055.

Referred to Board

[San Francisco Fashion Industries]
Resolution commending the San Francisco Fashion Industries on its 77th Anniversary and declaring November 2, 1996 as "San Francisco Fashion Industry Day" in San Francisco. Supervisors Teng, Alioto, Hsieh, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 21, 1996.

File 006-96-157.

[Aviation Training Project Partnership]
Resolution commending United Airlines and City College of San Francisco Aviation Training Project upon its successful completion in Shanghai and declaring October 22, 1996 as "Partnership in Training Day" in San Francisco. Supervisors Teng, Katz, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 21, 1996.

File 006-96-158.

[Commend "Kung Pao Kosher Comedy"]
Resolution commending "An Evening of Kung Pao Kosher Comedy" and its creator, Lisa Geduldig, for contributing to humor in San Francisco, for their charitable contributions and for giving Jewish (and other) San Franciscans something to do on Christmas and proclaiming December 23, 24, and 25, 1996 as "Kung Pao Kosher Comedy Days" in San Francisco. Supervisors Kaufman, Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 21, 1996.

File 006-96-159.

Referred to Committee

[Substance Abuse Treatment on Demand]
Resolution endorsing the goal of substance abuse treatment on demand for indigent San Franciscans and urging the Mayor, the Health Commission and the Director of Public Health to provide full funding in the City and County's fiscal 1997/1998 budget for substance abuse treatment on demand. Supervisors Leal, Alioto, Ammiano presented. Referred to Health, Public Safety/Environment Committee with request it be considered at the November 7, 1996 meeting.

File 030-96-020.

[South Bayshore/Hunters Point Redevelopment]
Resolution approving and adopting procedures in the Articles of Formation for a Redevelopment Project Area Committee for the South Bayshore/Hunters Point Redevelopment Project. Supervisor Bierman presented. Referred to Housing/Land Use Committee with request it be considered at the November 14, 1996 meeting.

File 071-96-002.

[Union Street Design Guidelines]
Ordinance amending Planning Code by amending Section 725.1 to adopt the "Union Street Design Guidelines" for review of permits and to require notice of permits to the Union Street Association in certain instances. Supervisor Shelley presented. Referred to Rules Committee.

File 115-96-013.

[Redevelopment Project Area Committees]
Resolution establishing procedures for the election of members to Redevelopment Project Area Committees in City and County of San Francisco. Supervisor Bierman presented. Referred to Housing/Land Use Committee with request it be considered at the November 14, 1996 meeting.

File 161-96-007.

[Street Artists]
Resolution designating temporary selling spaces in the downtown area and at Harvey Milk Plaza for street artists certified by the Art Commission, City and County of San Francisco, for the winter holiday season, 1996, beginning on November 15, 1996 and ending on January 15, 1997. Supervisors Teng, Bierman, Alioto presented. Referred to Housing/Land Use Committee.

File 169-96-004.

Referred to Board

[Parking Citations - Amnesty]
Resolution urging his honor, the Mayor, to grant a general amnesty to individuals who received parking citations on October 14, 1996 involving meter and time-limit violations only. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 21, 1996.

File 190-96-010.

[Parkside Square Tai Chi Area]
Resolution supporting the Recreation and Park Department's recommendation to establish a Tai Chi exercise area on one tennis court at Parkside Square for a six-month trial period. Supervisors Teng, Alioto, Hsieh, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 21, 1996.

File 193-96-009.

[Meeting Needs of Lesbian/Gay/Bisexual Students]
Resolution urging the San Francisco Unified School District Board of Education to adopt legislation that insures schools in the City and County of San Francisco are safe places for lesbian, gay, bisexual, transgender and questioning youth. Supervisors Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 21, 1996.

File 211-96-006.

Referred to Committee

[Juvenile Crime Enforcement Grant Program]
Resolution authorizing the Juvenile Probation Department to apply for, accept, and expend grants in an amount not to exceed $2,150,000 from the State Board of Corrections under the Juvenile Crime Enforcement and Accountability Challenge Grant Program, and waiving indirect costs. Supervisor Yaki presented. Referred to Government Efficiency/Labor Committee with request it be considered at the October 22, 1996 meeting.

File 214-96-003.

[Juvenile Justice Coordinating Council]
Resolution establishing a multi-agency juvenile justice coordinating council to develop a local action plan to provide a continuum of responses to juvenile crime and delinquency. Supervisor Yaki presented. Referred to Government Efficiency/Labor Committee with request it be considered at the October 22, 1996 meeting.

File 214-96-004.

[Mid-Market Redevelopment Project Area Committee]
Resolution approving and adopting procedures in the Articles of Formation for a Redevelopment Project Area Committee for the Mid-Market Redevelopment Project. Supervisor Bierman presented. Referred to Housing/Land Use Committee with request it be considered at the November 14, 1996 meeting.

File 291-96-001.

Requests for Hearings:

[City Contractors]
Hearing to consider establishing policy that City and County shall contract for the delivery of City services only with agencies or companies which do not engage in activities, including but not limited to activities which could give rise to labor disputes which would interfere with the contractor's ability to provide these essential services to the City dependably and without interruption. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 097-96-056.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-080. [Arnold Bletnitsky et al, v. CCSF et al.] Ordinance authorizing settlement of

litigation of Arnold Bletnitsky against the City and County of San Francisco by payment of $7,500. (Municipal Court No. 122-989) (City Attorney). Referred to Government Efficiency/Labor Committee.

File 045-96-081. [Julia Hannon v. CCSF et al.] Ordinance authorizing settlement of litigation of Julia Hannon against the City and County of San Francisco by payment of $20,000. (Superior Court No. 967-638). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-082. [David Johansen v. Lakeside Company/CCSF et al.] Ordinance authorizing settlement of litigation of David Johansen against the City and County of San Francisco by payment of $13,500. (Superior Court 967-070) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-083. [Goldbarg Fahid et al., v. CCSF et al.] Ordinance authorizing settlement of litigation of Goldbarg Fahid against the City and County of San Francisco by payment of $30,000. (U.S. District Court No. C94-3523 CAL). (City Attorney) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 010-96-008. [Encroachment Permit, Polk/Myrtle Streets] Resolution granting revocable permission to DPR Construction, Inc. to temporarily close and occupy the west sidewalk and a portion of the street area on Polk Street and the south sidewalk and a portion of the street area on Myrtle Street for demolition and related construction operations at 1000 Van Ness Avenue/901 Polk Street (Block 715, Lots 2 & 5). (Department of Public Works) Referred to Housing and Land Use Committee.

File 010-96-009. [Encroachment Permit, 21st Street/Treat Avenue] Resolution granting revocable permission to S.J. Amoroso Construction Company, Inc. to temporarily close and occupy the south sidewalk and a portion of the Street area on 21st Street and the east sidewalk and a portion of the street area on Treat Avenue during construction operations at Moscone Elementary School at 2576 Harrison Street (Block 3613, Lot 1). (Department of Public Works) Referred to Housing and Land Use Committee.

File 040-96-023. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-024. [Residential Parking Area "W", SFGH Area] Resolution extending the boundaries of Residential Permit Parking Area "W" in the San Francisco General Hospital Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-025. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-96-044. [Settlement of Claim, Marc Kudrna] Resolution approving the settlement of the unlitigated claim of Marc Kudrna by payment of $8,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 089-96-010. [SDI Coverage, A978 Senior Database Administrator] Resolution authorizing enrollment of classification A978 Senior Database Administrator into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 107-96-004. [GAIN County Plan] Resolution approving the Greater Avenues for Independence (GAIN) Plan prepared by the San Francisco Department of Human Services for submission to the California Department of Social Services. (Department of Human Services) Referred to Economic Vitality/Social Policy Committee.

File 213-96-005. [Federal Grant, Interactive Training Program]
Resolution authorizing the Public Transportation Commission to apply for, accept, and expend an additional $30,000 of National Research Council-Transportation Research Board funds, through its TRANSIT-IDEA program, to develop an interactive training program to reduce violence against Muni personnel. (Also see File 147-95-5) (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney prepare ordinance establishing policy that City and County shall contract for the delivery of City services only with agencies or companies which do not engage in activities, including but not limited to activities which could give rise to labor disputes which would interfere with the contractor's ability to provide these essential services to the City dependably and without interruption. File 97-96-56.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Mary Corwin (Supervisors Leal, Ammiano)
Jose Antonio Burciaga (Supervisor Leal)

File 2-96-41

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:00 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 16, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, October 21, 1996

/96

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 91 Number 42

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 21, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of the President, who was on his way from Sacramento, the meeting was called to order at 2:10 p.m. by the Acting Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 8.

Noted absent at first roll call:

Supervisors Alioto, Katz, Shelley - 3.

Quorum present.

Supervisor Alioto was noted present at 2:12 p.m.

Supervisor Katz was noted present at 2:12 p.m.

Supervisor Shelley was noted present at 2:13 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Acting Clerk, Supervisor Kaufman, seconded by Supervisor Ammiano, moved that Supervisor Leal be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Alioto, Shelley - 2.

The President assumed the Chair at 2:13 p.m.

Suspension of the Rules
Visitors Welcomed

Supervisor Ammiano, seconded by Supervisor Kaufman, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to welcome three groups of visitors.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11

Supervisor Ammiano introduced and welcomed two individuals from Burma who thanked the Board for its position prohibiting contracts for personal services with those who do business in Burma, and prohibiting the purchase of any commodities produced in Burma.

Supervisor Teng introduced and welcomed Tang Wei Ying, Mayor of Shao Quan Guangdong Province in China who brought greetings to the City of San Francisco.

President Shelley introduced and welcomed a delegation of twelve city officials from the Netherlands who are on a Study Tour in the United States. Mr. Peter Dudink brought greetings to the City and presented the President with a ceramic plate from his country.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Jane Doe v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Jane Doe against the City and County by payment of $452,475. (City Attorney)

File 45-96-67, Ordinance No. 411-96

(USDC, Northern District of California Case No. C95-1733.)

Finally passed.

[Whitfield v. CCSF, et al]
Ordinance authorizing settlement of litigation of Alejandro Whitfield against the City and County by payment of $8,500. (City Attorney)

File 45-96-68, Ordinance No. 412-96

(USDC, Northern District of California Case No. C96-2099 WHO.)

Finally passed.

[Palkin/Golden City Tours v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Katherine Palkin and Golden City Tours against the City and County by payment of $35,000. (City Attorney)

File 45-96-69, Ordinance No. 413-96

(Superior Court No. 974-431.)

Finally passed.

[Angela Tardio v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Angela Tardio against the City and County by payment of $50,000. (City Attorney)

File 45-96-70, Ordinance No. 414-96

(Superior Court No. 971-157.)

Finally passed.

[Su Ping Chen Liu v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Su Ping Chen Liu against the City and County by payment of $15,000, plus waiver of a medical lien in the amount of $7,070.05. (City Attorney)

File 45-96-71, Ordinance No. 415-96

(Superior Court No. 933-460.)

Finally passed.

[Virgilio Estillore v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Virgilio Estillore against the City and County by payment of $8,000. (City Attorney)

File 45-96-72, Ordinance No. 416-96

(Superior Court No. 975-030.)

Finally passed.

[Joanne Welsh v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Joanne Welsh against the City and County by payment of $288,106. (City Attorney)

File 45-96-73, Ordinance No. 417-96

(U.S. District Court No. C93-3722 DLJ.)

Finally passed.

[Medina v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Medina against the City and County by payment of $91,500. (City Attorney)

File 45-96-74, Ordinance No. 418-96

(Superior Court No. 977-778.)

Finally passed.

[Ok Song Kim, et al. v. CCSF et al.]
Ordinance authorizing settlement of litigation of Ok Song Kim against the City and County by payment of $11,500. (City Attorney)

File 45-96-75, Ordinance No. 419-96

(S.F. Municipal Court No. 110-129.)

Finally passed.

[Christian Vargas et al., v. CCSF et al.]
Ordinance authorizing settlement of litigation of Christian Vargas, a minor by and through his Guardian Ad Litem, Elsa Vargas; and Elsa Vargas, individually, against the City and County by payment of $8,161. (City Attorney)

File 45-96-76, Ordinance No. 420-96

(Superior Court No. 968-433.)

Finally passed.

[Frank S. Lee v. CCSF]
Ordinance authorizing settlement of litigation in the matter entitled Lee v. the City and County, by payment of $27,500. (City Attorney)

File 45-96-77, Ordinance No. 421-96

(Superior Court Case No. 974-074.)

Finally passed.

[Andrea Johnson v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Andrea Johnson against the City and County by payment of $32,500. (City Attorney)

File 45-96-78, Ordinance No. 422-95

(Superior Court No. 963-945.)

Finally passed.

[MOU, Local 911, Police Officers Association]
Ordinance implementing the provisions of a Memorandum of Understanding between the Police Officers Association, Local 911, SEIU, AFL-CIO and the City and County for Bargaining Units P-1; P-2A and P-2B to be effective for the period July 1, 1996 through June 30, 2001. (Supervisors Shelley, Alioto)

File 93-96-30, Ordinance No. 423-96

Finally passed.

[Settlement, Out-of-Class Pay Grievance]
Ordinance authorizing settlement of the out-of-class pay grievance of Mary Ellen Vergas filed pursuant to the Memoranda of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County in the amount of Five Thousand Dollars ($5,000). (Department of Human Resources)

File 222-96-3, Ordinance No. 425-96

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Residential Parking Area "U", South of Market]
Resolution amending the boundaries of Residential Permit Parking Area "U" in the South of Market Area to include Lot 45 of Block 3774 (557 and 559 Second Street). (Department of Parking and Traffic)

File 40-96-21, Resolution No. 962-96

Adopted.

[Residential Parking Area "D", Glen Park]
Resolution extending the boundaries of Residential Permit Parking Area "D", in the Glen Park Area and adding Baden Avenue, between Monterey Boulevard and Mangels Avenue, both sides, and Joost Avenue, between Congo Street and Baden Avenue, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-22, Resolution No. 963-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Brown - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Committee of the Whole

Finally Passed

(See Journal of Proceedings of November 18, 1996 for disapproval by Mayor.)

[Campaign Consultant Regulation]
Ordinance amending Administrative Code, to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders and certain former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. (Supervisors Ammiano, Bierman)

File 97-96-13, Ordinance No.

(Adds Sections 16.540 through 16.547.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Noes: Supervisor Hsieh - 1.

Recommendation of Housing and Land Use Committee

Finally Passed

[Hotel Room Tax Administration]
Ordinance amending Municipal Code, Part III, to transfer administration of the Hotel Tax Fund from the Chief Administrative Officer to the Mayor (with respect to housing uses of the fund) and to the City Administrator (with respect to non-housing uses of the fund) and to clarify residency requirements. (Supervisor Brown)

File 127-96-7, Ordinance No. 424-96

(Amends Section 515.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Fire Department]
Ordinance appropriating $14,233,588, Fire Department, of 1992 Fire Protection Bond proceeds to capital improvement projects for project management, architectural, engineering, construction, real estate and disruption expenses at Fire Department and Public Works for fiscal year 1996-97; placing a reserve of $7,864,100 and providing for ratification of action previously taken. (Controller)

File 101-96-12, Ordinance No.

(Fiscal impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Adopted

[Local Agency Military Base Recovery Area]
Resolution authorizing the Redevelopment Agency of the City and County of San Francisco to apply to the State of California for designation of Hunters Point Naval Shipyard as a Local Agency Military Base Recovery Area. (Supervisors Shelley, Kaufman, Bierman, Hsieh, Teng, Brown)

File 71-96-1, Resolution No. 966-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Teng, Brown requested to be added as co-sponsors.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Underground District, Cesar Chavez Street]
Ordinance creating Underground District No. 323 along Cesar Chavez Street. (Department of Public Works)

File 52-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Underground District, Duboce Avenue]
Ordinance creating Underground District No. 324 along Duboce Avenue. (Department of Public Works)

File 52-96-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Underground District, Gough/Green Streets]
Ordinance creating Underground District No. 325 in the Gough/Green Streets District; companion measure to File 52-96-5.1. (Department of Public Works)

File 52-96-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Adopted

[Lighting Assessment District, Gough/Green Streets]
Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4, Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Gough/Green Streets District; authorizing engineer's report; companion measure to File 52-96-5. (Department of Public Works)

File 52-96-5.1, Resolution No. 964-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Underground District, Inner Sunset District]
Ordinance creating Underground District No. 327 in the Inner Sunset District; companion measure to File 52-96-6.1. (Department of Public Works)

File 52-96-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Lighting Assessment District, Inner Sunset District]
Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4, Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Inner Sunset District; authorizing engineer's report; companion measure to File 52-96-6. (Department of Public Works)

File 52-96-6.1, Resolution No. 965-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Liquor License, 530 Mason Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license from 2575 San Bruno Avenue to Mazen and Dina Zughyar for Mason Liquor and Deli located at 530 Mason Street, will serve the convenience and necessity of the people of the City and County of San Francisco in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-31, Resolution No. 979-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Parking Study-West Civic Center Area]
Resolution urging the Parking and Traffic Commission to instruct the Department of Parking and Traffic to undertake a long-term parking and transit study of the West Civic Center area, keeping in mind the City's transit first policy. (Supervisor Kaufman)

File 190-96-7, Resolution No. 974-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Fulton Street Mall Design Guidelines]
Resolution approving a text amendment to the Civic Center Area Plan of the San Francisco General Plan to reference the Fulton Street Mall Design Guidelines adopted by the Planning Commission, and incorporating by reference findings pursuant to the California Environmental Quality Act relating to the Fulton Street Mall, as analyzed in the San Francisco Main Library Final Environmental Impact Report, Case No. 90.808E and re-evaluated in the Asian Art Museum Project EIR Addendum to that Environmental Impact dated May 1, 1996. (Planning Department)

File 271-96-2, Resolution No. 980-96

(July 25, 1996 - Approved by Planning Commission Resolution No. 14165.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Recommendations of Rules Committee

Adopted .

[Appointment]
Resolution appointing member to the Park and Open Space Advisory Committee, for new two-year term ending July 1, 1998. (Rules Committee)

File 92-96-30.4, Resolution No. 967-96

(Lonnie Lawson, vice Sharon Hewitt, term expired, Seat 23307.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointments]
Assessment Appeals Board #1
Resolution appointing two members to Assessment Appeals Board #1, for new three-year terms ending September 6, 1996. (Rules Committee)

File 92-96-42, Resolution No. 968-96

(Ermelinda Trevino, vice Mark Hagopian, Seat 21003, Regular position;
Fiona Ma, vice herself, Seat 21004, Hearing Officer, Alternate position, terms expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointments]
Resolution appointing three members to Assessment Appeals Board #2. (Rules Committee)

File 92-96-43, Resolution No. 969-96

(Lawrence Lee, vice himself, Seat 21008, regular position, term expired September 3, 1996, for new two-year term ending September 7, 1998;
Hayes D. Miles, vice himself, Seat 21014 Hearing Officer, alternate position, term expired September 3, 1996, for new two-year term ending September 7, 1988;

Elizabeth McQuiston, vice herself, Seat 21011 Hearing Officer, alternate position, term expired September 3, 1996, for new three-year term ending September 6, 1999.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointments]
Resolution appointing five members to the Drug Abuse Advisory Board. (Rules Committee)

File 92-96-44.1, Resolution No. 970-96

(Matonia Harris, vice Lois Perillo, Seat 22102, law enforcement;
Dominique Leslie, vice herself, Seat 22104, public-at-large; Jeffrey Reed, vice Pamela Gaddis, Seat 22106, public-at-large; Michelle Aldrich, vice herself, Seat 22107, public-at-large; terms expired for new three-year terms ending October 1, 1999;
Jene Meyer, vice Gregg Lowder, Seat 22112, public-at-large, for unexpired portion of three-year term ending October 1, 1997.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Resolution appointing member to the Delinquency Prevention Commission, for unexpired portion of four-year term ending June 30, 1999. (Rules Committee)

File 92-96-52.1, Resolution No. 971-96

(Maria Rosa Navarro, vice Megan Burke, Seat 21819, must have interest in and be knowledgeable regarding juvenile delinquency prevention.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, for the unexpired portion of four-year term ending December 22, 1996. (Rules Committee)

File 92-96-54, Resolution No. 972-96

(Nancy Burns, vice Mike Conner, Seat 26715, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee, for unexpired portion of four-year term ending August 20, 1999.

File 92-96-55, Resolution No. 973-96

(Ellen Frost, vice Rebecca Hernandez, Seat 26612, affordable housing representative.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Appointment]
Motion approving Mayor's appointment of Shirley Dimapilis to serve as a member of the Human Rights Commission. (Rules Committee)

File 33-96-29

(October 8, 1996 - Transmitted by the Mayor. May be rejected by two-thirds vote within 30 days.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Off-Site Meeting, Government Efficiency and Labor]
Motion ordering the December 1996 meeting of the Government Efficiency and Labor Committee of the Board of Supervisors to be held on December 12, 1996, at 5:30 p.m. at the Everett Middle School, 450 Church Street. (Supervisor Ammiano)

File 54-96-9

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Assessment Appeals Board Procedural Rules]
Motion adopting Assessment Appeals Board Procedural Rules, effective July 15, 1996. (Assessment Appeals Board)

File 129-96-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

SPECIAL ORDER 3:00 PM

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the recommendations of the Public Transportation Commission for partial abandonment of 29-Sunset service to facilitate a minor reroute in the main post area of the Presidio and partial discontinuance of certain late night trips.

File 7-96-6

(Filed October 7, 1996.)

(Proposed abandonment: Northbound on Lincoln between Halleck and Funston and Funston between Lincoln and Presidio; southbound on Funston between Presidio and Lincoln, Lincoln between Funston and Halleck, McDowell between Crissy Field Road and Lincoln and Lincoln between McDowell and Crissy Field Road to permit buses to be rerouted to Montgomery Street to better serve the Presidio Child Development Center, the Presidio Bowling Center, the Visitor Center and Park Headquarters. In addition, buses travelling from Letterman to the Golden Gate Bridge and points south would use Crissy Field Road rather than McDowell Avenue;

(Proposed reduction of late night service hours: The last 29-Sunset late night south-bound trip would be discontinued and the last two late night north-bound trips would end service when they reach Stonestown. This would reduce the number of late night trips operating north of Golden Gate Park at 25th Avenue. No service would operate north of Geary Boulevard on Line 29 after approximately 12:35 A.M.)

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Speaking in Favor: Ms. Lillick; Mary MacAffee; Carrie Farab; Carol Husbands; Eleanor Jarrold, Patricia Douglas.

There were no speakers in opposition.

There being no one else present wishing to speak, the President declared the hearing closed.

(Only one of the following two resolutions should be adopted.)

Adopted

[Partial Abandonment, 29-Sunset Municipal Railway Service]
Resolution approving partial abandonment of 29-Sunset Service to facilitate a minor reroute in the main post area of the Presidio and partial discontinuance of certain late night trips. (Supervisor Yaki)

File 7-96-6, Resolution No. 961-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

Tabled

[29-Sunset Partial Abandonment of Service]
Resolution disapproving partial abandonment of 29-Sunset service to facilitate a minor reroute in the main post area of the Presidio and partial discontinuance of certain late night trips. (Supervisor Yaki)

File 7-96-6.1, Resolution No.

Supervisor Leal, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Camille Moran, Use of gender disorder diagnosis;
Chris McDivitt, Quality of Muni service in the Sunset;
Catherine Gordon, Favoring campaign consultant registration;
Esther, Public official use of public transportation;
Ann Kleinman, Traffic violations not being enforced;
Rodney, Opposed to legalization of sex clubs.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[San Francisco Fashion Industries]
Resolution commending the San Francisco Fashion Industries on its 77th Anniversary and declaring November 2, 1996 as "San Francisco Fashion Industry Day" in San Francisco. (Supervisors Teng, Alioto, Hsieh, Shelley, Bierman, Kaufman, Leal)

File 006-96-157, Resolution No. 957-96

(October 15, 1996 - Introduced in Board for consideration on October 21, 1996)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal requested to be added as co-sponsors.

[Aviation Training Project Partnership]
Resolution commending United Airlines and City College of San Francisco Aviation Training Project upon its successful completion in Shanghai and declaring October 22, 1996 as "Partnership in Training Day" in San Francisco. (Supervisors Teng, Katz, Alioto, Bierman, Leal)

File 006-96-158, Resolution No. 958-96

(October 15, 1996 - Introduced in Board for consideration on October 21, 1996)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Commend "Kung Pao Kosher Comedy"]
Resolution commending "An Evening of Kung Pao Kosher Comedy" and its creator, Lisa Geduldig, for contributing to humor in San Francisco, for their charitable contributions and for giving Jewish (and

other) San Franciscans something to do on Christmas and proclaiming December 23, 24, and 25, 1996 as "Kung Pao Kosher Comedy Days" in San Francisco. (Supervisors Kaufman, Ammiano, Alioto, Bierman, Katz, Leal)

File 006-96-159, Resolution No. 959-96

(October 15, 1996 - Introduced in Board for consideration on October 21, 1996)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Parking Citations - Amnesty]
Resolution urging his honor, the Mayor, to grant a general amnesty to individuals who received parking citations on October 14, 1996 involving meter and time-limit violations only. (Supervisor Alioto, Bierman, Katz)

File 190-96-010, Resolution No. 975-96

(October 15, 1996 - Introduced in Board for consideration on October 21, 1996)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Parkside Square Tai Chi Area]
Resolution supporting the Recreation and Park Department's recommendation to establish a Tai Chi exercise area on one tennis court at Parkside Square for a six-month trial period. (Supervisors Teng, Alioto, Hsieh, Bierman, Shelley, Katz)

File 193-96-009, Resolution No. 977-96

(October 15, 1996 - Introduced in Board for consideration on October 21, 1996)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Meeting Needs of Lesbian/Gay/Bisexual Students]
Resolution urging the San Francisco Unified School District Board of Education to adopt legislation that insures schools in the City and County of San Francisco are safe places for lesbian, gay, bisexual, transgender and questioning youth. (Supervisors Ammiano, Alioto, Bierman, Katz)

File 211-96-006, Resolution No. 978-96

(October 15, 1996 - Introduced in Board for consideration on October 21, 1996)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

[Imperative Resolutions]

Adopted

[Commendation]
Resolution commending Kathleen Sullivan Alioto and Helen and Charles Schwab for their outstanding efforts in organizing and promoting the "In The Way of Success" Symposium that will provide valuable information in teaching children with learning disabilities.

File 006-96-160, Resolution No. 960-96

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng - 10.

Absent: Supervisor Yaki - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Sexual Harassment Policy]
Substitute Ordinance amending Administrative Code by repealing Section 16.9-25 and adding Section 16.9-25 concerning policy on sexual harassment; charging the Human Resources Director with providing quarterly and annual reports on sexual harassment; and providing that the Commission on the Status of Women may offer support on related matters. Supervisors Shelley, Kaufman presented. Referred to Rules Committee.

File 097-96-018.01.

[Translators at Board of Supervisors Meetings]
Ordinance amending Administrative Code by amending Section 67.15 to require that translators be provided at meetings of the full Board of Supervisors and Board of Supervisors' Committees upon request, provided that the request is made 48 hours before the meeting or by noon of the last business day of the preceding week for Monday or Tuesday meetings. Supervisors Teng, Katz, Brown presented. Referred to Economic Vitality/Social Policy Committee.

File 097-96-058.

Referred to Board

[Commendation-Golden Gate Regional Center]
Resolution honoring the Golden Gate Regional Center on its 30th Anniversary and commending the Center for 30 years of outstanding service to the San Francisco Community. Supervisor Yaki presented.

Referred to Board for Adoption Without Committee Reference Calendar October 28, 1996.

File 006-96-161.

[Commending Chinese Americans at MUNI]
Resolution commending Chinese Americans at Muni(CAM) for their efforts to promote career advancement of Chinese Americans at Muni, and declaring November 1, 1996 to be "Chinese Americans At Muni Day". Supervisors Teng, Hsieh, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 28, 1996.

File 006-96-162.

[State Law-Tobacco Retail License]
Resolution urging the State Legislature to amend State law to enact a licensing scheme for tobacco retailers, or to allow local governments to enact their own tobacco retail licensing schemes. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 28, 1996.

File 012-96-044.

[State Law-Tobacco Sale to Minors]
Resolution urging the State Legislature to increase the penalties for selling cigarettes and tobacco products to minors. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar October 28, 1996.

File 012-96-045.

[Regional Coordination of Welfare Reform]
Resolution urging coordination of regional and federal welfare reform efforts to insure access to services and to prevent further erosion of immigrants' access to services. Supervisors Katz, Teng, Brown, Alioto, Bierman, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar October 28, 1996.

File 013-96-032.04.

Referred to Committee

[Declaring Safety Zone for Immigrants]
Resolution declaring the City and County of San Francisco to be a "Safety Zone," free of discrimination based on immigration status. Supervisors Teng, Katz, Brown presented. Referred to Economic Vitality/Social Policy Committee.

File 013-96-042.

[Interim Controls, West Portal NCD]
Resolution imposing Interim Zoning Controls to prohibit introduction of new bars, full-service restaurants, specialty groceries, and retail coffee stores in the West Portal Avenue Neighborhood Commercial District (as defined in the San Francisco Municipal Code, Part II, Chapter II (Planning Code), Section 729.1 et seq.) for an eighteen (18) month period and making determination of consistency with the Priority Policies of Planning Code Section 101.1.
Supervisor Teng presented. Referred to Housing and Land Use Committee.

File 111-96-005.

Referred to Board

[San Francisco Symphony]
Resolution encouraging the management of the San Francisco Symphony to expedite negotiations with the Symphony musicians to maintain salary and benefits, scheduling and conditions, at a level to maintain world-class status of the San Francisco Symphony. Supervisors Ammiano, Alioto, Teng, Yaki, Katz, Bierman, Kaufman, Leal, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar October 28, 1996.

File 197-96-006.

Requests for Hearings:

[Services for Lesbian, Gay, Bisexual Youth]
Hearing to consider the provision of services for lesbian, gay, bisexual, transgender, and questioning youth, and to cover the findings from the Mayor's Children and Youth Summit, the Human Rights Commission's Queer Youth Speakout, as well as from governmental representatives and community-based organizations. Supervisors Katz, Bierman presented. Referred to Economic Vitality/Social Policy Committee.

File 215-96-004.

[Western Addition YWCA]
Hearing to consider the YWCA's responsibility to the Japantown and Western Addition communities with respect to the YWCA building at 1830 Sutter Street. Supervisors Teng, Brown, Yaki, Katz, Ammiano, Bierman, Leal presented. Referred to Economic Vitality/Social Policy Committee.

File 258-96-003.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board For Adoption Without Committee Reference Calendar October 28, 1996.

File 030-96-001.21.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-083.01. [Goldbarg Fahid/Vega/Hawks, v. CCSF et al.] Ordinance authorizing settlement of litigation of Goldbarg Fahid/Andre Vega and Dawn Hawks against the City and County of San Francisco by payment of $30,000. (U.S. District Court No. C94-3523) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 092-96-056. [Appointment, Road Commissioner] Ordinance appointing Mark Primeau, Director of Public Works, Road Commissioner for the City and County of San Francisco, and repealing Ordinance No. 155-93. (Department of Public Works) Scheduled for public hearing before the full Board on Tuesday, November 12, 1996, at 3:00 p.m.

File 097-96-057. [Police Department Membership] Ordinance amending Administrative Code by amending Section 16.6-47.1 relating to Police Department memberships by adding specified organizations. (Police Commission) Referred to Budget Committee.

File 101-96-013. [Appropriation, Department of Human Services] Ordinance appropriating $63,773, Department of Human Services, of Federal Revenue, and transferring $110,602 of IHSS-IP payments to fund $174,375 of IHSS contract payments to increase IHSS worker wages for fiscal year 1996-97. RO #96099. (Controller) Referred to Budget Committee.

File 172-96-036. [Hospital Services Contract] Ordinance authorizing the Director of Public Health to execute an agreement with Baycare Medical Group for the Department of Public Health to provide hospital services to managed care enrollees, which agreement includes binding arbitration, indemnification, risk sharing, and limited authority for the Director of Health to execute amendments. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 040-96-026. [Residential Parking Area "D", Glen Park] Resolution extending the boundaries of Residential Permit Parking Area "D" in the Glen Park Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-027. [Residential Parking "O", West Portal/St. Francis] Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-028. [Residential Parking "A" Telegraph Hill/North Beach] Resolution amending the boundaries of Residential Permit Parking Area "A" in the Telegraph Hill/North Beach Area. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-029. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing/Land Use Committee.

File 048-96-045. [Settlement of Claim, Ricardo Hernandez] Resolution approving the settlement of the unlitigated claim of Ricardo Hernandez by payment of $165,217.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-046. [Settlement of Claim, Enrique and Juana Aldaz] Resolution approving the settlement of the unlitigated claim of Enrique and Juana Aldaz by payment of $14,132.82. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-020. [Lease Amendment, 875 Stevenson Street] Resolution authorizing a lease amendment at 875 Stevenson Street for the Department of Telecommunications and Information Services and other departments. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 084-96-003. [Option to Acquire Property] Resolution authorizing the Director of Property to enter into an option agreement for the purchase of real property located at 349-65 7th Street and 45 Cleveland Street and the payment of a non-refundable deposit of up to Four Hundred Eighty-Four Thousand Five Hundred Dollars ($484,500). (Real Estate Department) Referred to Budget Committee.

File 143-96-007. [Grant, Family Violence Prevention and Services] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds, excluding indirect costs not applicable under this program, in the amount of Thirty Five Thousand Dollars ($35,000.00) for a project known as the "Family Violence Prevention Services-Public Information/Community Awareness Program" and agreeing to provide an in-kind match in the amount of Twelve Thousand Seven-Hundred Eleven Dollars ($12,711.00). (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 143-96-008. [Grant, Civilian Personnel Component Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of Three Hundred Nine Thousand One Hundred Seventy Nine Dollars ($309,179.00), excluding indirect costs not allowed under this program, for a project known as the, "Civilian Personnel Component" from the United States Department of Justice's Office of Community Oriented Policing Services-Making Officer Redeployment Effective Program (COPS-MORE), and agreeing to provide a match in the amount of One Hundred Eight Thousand Two Hundred Seventy Seven Dollars ($108,277.00) (Police Department) Referred to Government Efficiency/Labor Committee.

File 148-96-005. [Grant, State Local Transportation Partnership Prog] Resolution authorizing the Director of Public Works to expend up to $1,038,069 from the State of California for roadway work on City streets in accordance with the State-Local Transportation Partnership Program (7th Cycle) waiving indirect costs. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney prepare ordinance to add Section 138.1 to Article 4.1 Industrial Waste, under San Francisco Public Works Code to prescribe procedures by which any person or entity may bring an action for civil penalties, declarative relief or equitable relief to enforce certain provisions of Artile 4.1 involving violations regarding pretreatment requirements.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Jung Taek Wang (Supervisor Kaufman)
Frank Quinn (Supervisors Leal, Bierman)

File 2-96-42

Unanimously adopted by a rising vote.

Monday, October 21, 1996

ADJOURNMENT

There being no further business, the Board at the hour of 3:38 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 23, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, October 28, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 91

Number 43

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, October 28, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Kevin Shelley, the meeting was called to order at 2:06 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 7.

Noted absent at first roll call:

Supervisors Bierman, Hsieh, Katz, Shelley - 4.

Quorum present.

Supervisor Bierman was noted present at 2:11 p.m.

Supervisor Hsieh was noted present at 2:35 p.m.

Supervisor Katz was noted present at 2:10 p.m.

Supervisor Shelley excused. (See infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Kaufman, seconded by Supervisor Ammiano, moved that Supervisor Leal be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Hsieh, Katz, Shelley - 4.

Supervisor Shelley Excused

The Clerk stated Supervisor Shelley requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Kaufman, moved to excuse Supervisor Shelley.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Bierman, Hsieh, Katz, Shelley - 4.

Presentation of Guests
Suspension of the Rules

Supervisor Brown introduced and welcomed Carlos Ortez and Yasmina Ponce, youth leaders from Este, Nicaraqua.

There being no objection, on motion by Supervisor Brown, seconded by Supervisor Ammiano, the rules of order were suspended to grant privilege of the floor to the above guests.

Carlos Antonio Ruiz Ortez and Liver Yasmina Blandon Ponce thanked the Board for the opportunity to speak and spoke of their commitment to strengthen ties with the City and County of San Francisco especially in the area of youth issues.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Fire Department]
Ordinance appropriating $14,233,588, Fire Department, of 1992 Fire Protection Bond proceeds to capital improvement projects for project management, architectural, engineering, construction, real estate and disruption expenses at Fire Department and Public Works for fiscal year 1996-97; placing a reserve of $7,864,100 and providing for ratification of action previously taken. (Controller)

File 101-96-12, Ordinance No. 430-96

(Fiscal impact.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Underground District, Cesar Chavez Street]
Ordinance creating Underground District No. 323 along Cesar Chavez Street. (Department of Public Works)

File 52-96-3, Ordinance No. 426-96

Finally passed.

[Underground District, Duboce Avenue]
Ordinance creating Underground District No. 324 along Duboce Avenue. (Department of Public Works)

File 52-96-4, Ordinance No. 427-96

Finally passed.

[Underground District, Gough/Green Streets]
Ordinance creating Underground District No. 325 in the Gough/Green Streets District; companion measure to File 52-96-5.1. (Department of Public Works)

File 52-96-5, Ordinance No. 428-96

Finally passed.

[Underground District, Inner Sunset District]
Ordinance creating Underground District No. 327 in the Inner Sunset District; companion measure to File 52-96-6.1. (Department of Public Works)

File 52-96-6, Ordinance No. 429-96

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Stone et al., v. CCSF et al.]
Ordinance authorizing settlement of appellate attorneys' fees litigation in Stone, et al., v. City and County, et. al., including the payment of $113,200 in attorneys' fees. (City Attorney)

File 45-96-79, Ordinance No.

(U.S. Court of Appeal No. 94-16015 and U.S. District Court No. C78-2774 WHO.)

Passed for second reading.

[Arnold Bletnitsky et al, v. CCSF et al.]
Ordinance authorizing settlement of litigation of Arnold Bletnitsky against the City and County by payment of $7,500. (City Attorney)

File 45-96-80, Ordinance No.

(Municipal Court No. 122-989.)

Passed for second reading.

[Julia Hannon v. CCSF et al.]
Ordinance authorizing settlement of litigation of Julia Hannon against the City and County by payment of $20,000. (City Attorney)

File 45-96-81, Ordinance No.

(Superior Court No. 967-638).

Passed for second reading.

[David Johansen v. Lakeside Company/CCSF et al.]
Ordinance authorizing settlement of litigation of David Johansen against the City and County by payment of $13,500. (City Attorney)

File 45-96-82, Ordinance No.

(Superior Court 967-070.)

Passed for second reading.

[Goldbarg Fahid et al., v. CCSF et al.]
Ordinance authorizing settlement of litigation of Goldbarg Fahid against the City and County by payment of $30,000. (City Attorney)

File 45-96-83, Ordinance No.

(U.S. District Court No. C94-3523 CAL.)

Passed for second reading.

Adopted

[Lease Agreement, 205-13th St. Off-Street Parking]
Resolution authorizing the lease agreement for off-street parking at 205-13th Street for the Department of Building Inspection effective the later of September 23, 1996 or upon the date City receives 24-hour notice to vacate their current parking site. (Real Estate Department)

File 47-96-11, Resolution No. 1027-96

Adopted.

[Settlement of Claim, Maryann Acosta]
Resolution approving the settlement of the unlitigated claim of Maryann Acosta by payment of $15,000. (City Attorney)

File 48-96-42, Resolution No. 988-96

Adopted.

[Settlement of Claim, Balboa Life and Casualty]
Resolution approving the settlement of the unlitigated claim of Balboa Life and Casualty by payment of $9,000. (City Attorney)

File 48-96-43, Resolution No. 989-96

Adopted.

[Settlement of Claim, Marc Kudrna]
Resolution approving the settlement of the unlitigated claim of Marc Kudrna by payment of $8,000. (City Attorney).

File 48-96-44, Resolution No. 990-96

Adopted.

[SDI Coverage, A978 Senior Database Administrator]
Resolution authorizing enrollment of classification A978 Senior Database Administrator into the State Disability Insurance Program. (Department of Human Resources)

File 89-96-10, Resolution No. 991-96

Adopted.

[Grant - State, Household Hazardous Waste]
Resolution authorizing the City Administrator to apply for up to $120,000 in discretionary grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs; providing for ratification of action previously taken. (Supervisor Alioto)

File 133-96-5, Resolution No. 992-96

Adopted.

[Federal Grant, "COPS-Universal Hiring" Program]
Resolution authorizing the Chief of Police to retroactively apply for, accept and expend funds in the amount of Seven Hundred Fifty Thousand Dollars ($750,000), excluding indirect costs not permissible under this program, for new funding for a three year project entitled, "Community Oriented Policing Services-Universal Hiring Program" (COPS-Universal Hiring), plus a cash match of Nine Hundred Twenty-Five Thousand Seven Hundred Fifty Dollars ($925,750). (Supervisors Alioto, Shelley)

File 143-96-6, Resolution No. 994-96

Adopted.

[State Grant, Childhood Lead Prevention Program]
Resolution authorizing the Department of Public Health, Childhood Lead Prevention Program, to retroactively accept and expend the Medi-Cal allocation of $101,533 which includes indirect costs in the amount of $16,807 based on 20% of salaries from the Department of Health Services for childhood lead poisoning case management of Medi-Cal enrolled or eligible children. (Supervisors Alioto, Shelley)

File 146-96-21, Resolution No. 995-96

Adopted.

[Acceptance/Expenditure of State Grant Funds]
Resolution authorizing the acceptance and expenditure of State grant funds by the Department of Public Health for 1996-97. (Supervisor Alioto)

File 146-96-22, Resolution No. 996-96

Adopted.

[Federal Grant, Substance Abusing Pregnant Women]
Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively a grant in the amount of $195,034, which includes indirect costs in the amount of $33,849, based on 21% of direct costs, from the Department of Health and Human Services, Public Health Service, for a research project to study the effectiveness of a strategy for substance abusing pregnant women. (Supervisors Alioto, Shelley)

File 146-96-23, Resolution No. 997-96

Adopted.

[Agreement, CCSF/University of California]
Resolution approving mutual indemnification provision in an agreement between the Adult Probation Department and the Regents of the University of California, for evaluation services as specified in the Criminal Justice Network Treatment Grant. (Adult Probation Department)

File 172-96-35, Resolution No. 999-96

Adopted.

[Juvenile Justice Coordinating Council]
Resolution establishing a multiagency Juvenile Justice Coordinating Council to develop a local action plan to provide a continuum of responses to juvenile crime and delinquency. (Supervisor Yaki)

File 214-96-4, Resolution No. 1004-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Hsieh, Shelley - 2.

REGULAR CALENDAR

NEW BUSINESS

Recommendation of Budget Committee

Adopted

[Automated Victim Notification Program]
Resolution urging the Sheriff to take the necessary steps to implement an automated Victim Notification Program known as the VINE System at the earliest possible time. (Supervisors Kaufman, Alioto, Leal, Shelley, Bierman, Hsieh, Teng, Yaki, Katz)

File 195-96-2, Resolution No. 1000-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Hsieh, Shelley - 2.

In connection with the above item, Supervisors Teng, Yaki, Katz requested to be added as co-sponsors.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Catastrophic Sick Leave Policy]
Ordinance amending Administrative Code, by naming this section T.J. Anthony Catastrophic Sick Leave Policy - Transfer of Sick Leave and Vacation Credits to Catastrophically Sick Employees. (Supervisors Kaufman, Katz, Shelley, Teng, Leal, Alioto, Ammiano, Yaki, Brown, Bierman)

File 97-96-8.2, Ordinance No.

(Amends Section 16.9-29.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Hsieh, Shelley - 2.

In connection with the above item, Supervisors Brown, Bierman, requested to be added as co-sponsors.

[City Contracts Domestic Partner Benefits]
Ordinance amending Administrative Code, to prohibit the City from entering into any contracts or other agreements with any party that discriminates in the provision of benefits between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, and to define domestic partner for the purposes of these sections. (Supervisors Ammiano, Katz, Alioto, Bierman, Leal, Kaufman, Yaki, Brown, Teng)

File 97-96-33, Ordinance No.

(Amends Sections 12B.1, 12B.2, 12C.1 and 12C.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Hsieh, Shelley - 2.

In connection with the above item, Supervisors Brown, Teng requested to be added as co-sponsors.

Adopted

[Community Policing to Combat Domestic Violence]
Resolution authorizing the Chief of Police to apply for retroactively, accept and expend funds in the amount of Two Hundred Thousand Dollars ($200,000.00) excluding indirect costs not allowed under this program, for a project known as the "Community Policing to Combat Domestic Violence" and agreeing to provide an in-kind match in the amount of Eighty-Nine Thousand One-Hundred Fifty-Eight Dollars ($89,158). (Supervisors Alioto, Shelley, Kaufman, Teng, Bierman)

File 143-96-5, Resolution No. 993-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Hsieh, Shelley - 2.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Liability Limitation]
Resolution approving the limitation of liability in agreement for business recovery services with International Business Machines Corporation with the Department of Telecommunications and Information Services and Office of the Assessor, AS 400 Maintenance Agreement. (Supervisor Bierman)

File 172-96-29.1, Resolution No. 998-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[Federal Grant, Interactive Training Program]
Resolution authorizing the Public Transportation Commission to apply for, accept, and expend an additional $30,000 of National Research Council-Transportation Research Board funds, through its TRANSIT-IDEA program, to develop an interactive training program to reduce violence against MUNI personnel. (Public Transportation Commission)

File 213-96-5, Resolution No. 1002-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Hsieh, Shelley - 2.

[Juvenile Crime Enforcement Grant Program]
Resolution authorizing the Juvenile Probation Department to apply for grants in an amount not to exceed $2,150,000 from the State Board of Corrections under the Juvenile Crime Enforcement and Accountability Challenge Grant Program, and waiving indirect costs. (Supervisor Yaki)

File 214-96-3, Resolution No. 1003-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so Supervisor Leal can participate in the debate.

Recommendation of Health, Public Safety and Environment Committee

Consideration Continued

[Tobacco Products]
Ordinance amending Police Code, to prohibit self-service merchandising of tobacco products except in places to which minors have no access. (Supervisors Alioto, Bierman, Yaki, Ammiano, Katz, Teng, Brown, Leal)

File 121-95-8, Ordinance No.

(Adds Article 46, Sections 4600 through 4600.8.)

Supervisor Alioto, seconded by Supervisor Kaufman, moved to continue consideration to November 12, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

Request Granted

At the request of Supervisor Teng, the Clerk was directed to refer above legislation to the Small Business Advisory Commission for consideration and report back to the Board of Supervisors by November 12, 1996.

President Pro Tempore Susan Leal resumed the Chair.

Recommendations of Select Committee on Charter Implementation

Passed for Second Reading

[Former Charter Provisions]
Ordinance amending Administrative Code, relating to the Department of Public Works. (Supervisor Kaufman)

File 97-96-19.5, Ordinance No.

(Adds Section 2A.190.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Former Charter Provisions]
Ordinance amending Administrative Code, to convert various 1932 Charter Sections to ordinance and to repeal former 1932 Charter Sections by operation of Charter Section 18.103. (Supervisor Kaufman)

File 97-96-19.6, Ordinance No.

(Adds Section 16.5, to codify Section 8.311 of the 1932 Charter; amends Sections 16.4 and 16.89-17, to codify Sections 7.702 and 8.104 of the 1932 Charter; making necessary changes to conform to the 1996 Charter; and repealing former Charter Sections 7.701, 7.702, 7.703, 8.104, 8.106, 8.410, 8.411, 9.104, 9.113, 9.114 and 9.115.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Former Charter Provisions]
Ordinance amending Administrative Code to convert various 1932 Charter Sections to ordinance and repealing former 1932 Charter Sections by operation of Charter Section 18.103. (Supervisor Kaufman)

File 97-96-19.7, Ordinance No.

(Adds Sections 16.702, 2A.170, 2A.171, 2A.172, 2A.180, 10.04, 10.05, 10.06, 10.07, 10.08, 10.19-1, 10.19-2, 10.08-1, 10.08-2, 2.60, 10.19-3, 10.117-116, 1.20, 10.158-1, 6.07, 6.64, 6.65, 2.61, 2.62, 2.63, 23.1-1, 23.25-1, 23.25-2, 23.25-3, 23.6-3, 2A.173, 1.51, 1.52, 1.53 and 1.55, to codify Sections 3.680, 3.691, 3.693, 3.694, 3.698-3, 6.207, 6.301, 6.302, 6.303, 6.304, 6.309, 6.310, 6.312, 6.313, 6.401, 6.402, 6.407-1, 6.410, 7.104, 7.201, 7.202, 7.206, 7.304, 7.306, 7.308, 7.401, 7.402, 7.403, 7.403-1, 7.404, 7.405, 7.600, 7.601, 7.604, and 7.606 of the 1932 Charter; making necessary changes to conform to the 1996 Charter; and repealing former Charter Sections 3.692, 3.698-1, 3.698-2, 3.699-2, 3.707, 6.400, 6.403, 6.407, 6.407-2, 6.408, 7.205, 7.402-1, 7.602 and 7.605.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

Supervisor Ammiano, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

Recess

The Board recessed at the hour of 2:57 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 3:20 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Noted absent:

Supervisor Shelley - 1.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported the Board of Supervisors convened in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 54956.9(c).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations concerning possible litigation.

Supervisor Teng, seconded by Supervisor Kaufman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ernestine Weiss, Ferry Park;
Frances Zander, Municipal Railway;
David Rutty, political campaign signs on utility poles;
Jim Tams, oppose ban on cigarette counter display;
James Chaffee, library card catalog preservation;
Whirlwind Dreamer, homeless issues;
Ms. Freeman, childhood lead program grant.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

8lese measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commendation-Golden Gate Regional Center]
Resolution honoring the Golden Gate Regional Center on its 30th Anniversary and commending the Center for 30 years of outstanding service to the San Francisco Community. (Supervisors Yaki, Alioto, Bierman, Teng, Katz, Leal)

File 6-96-161, Resolution No. 981-96

(October 21, 1996 - Introduced in Board for consideration on October 28, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Katz, Leal requested to be added as co-sponsors.

[Commending Chinese Americans at Muni]
Resolution commending Chinese Americans at Muni(CAM) for their efforts to promote career advancement of Chinese Americans at Muni, and declaring November 1, 1996 to be "Chinese Americans At Muni Day". (Supervisors Teng, Hsieh, Shelley, Alioto, Bierman, Yaki, Katz, Leal)

File 6-96-162, Resolution No. 982-96

(October 21, 1996 - Introduced in Board for consideration on October 28, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Katz, Leal requested to be added as co-sponsors.

[State Law-Tobacco Retail License]
Resolution urging the State Legislature to amend State law to enact a licensing scheme for tobacco retailers, or to allow local governments to enact their own tobacco retail licensing schemes. (Supervisors Alioto, Leal)

File 12-96-44, Resolution No. 985-96

(October 21, 1996 - Introduced in Board for consideration on October 28, 1996.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[State Law-Tobacco Sale to Minors]
Resolution urging the State Legislature to increase the penalties for selling cigarettes and tobacco products to minors. (Supervisors Alioto, Katz, Leal)

File 12-96-45, Resolution No. 986-96

(October 21, 1996 - Introduced in Board for consideration on October 28, 1996.)

Adopted.

In connection with the above item, Supervisors Katz, Leal requested to be added as co-sponsors.

[Regional Coordination of Welfare Reform]
Resolution urging coordination of regional and federal welfare reform efforts to insure access to services and to prevent further erosion of immigrants' access to services. (Supervisors Katz, Teng, Brown, Alioto, Bierman, Ammiano)

File 13-96-32.4, Resolution No. 987-96

(October 21, 1996 - Introduced in Board for consideration on October 28, 1996.)

Adopted.

[San Francisco Symphony]
Resolution encouraging the management of the San Francisco Symphony to expedite negotiations with the Symphony musicians to maintain salary and benefits, scheduling and conditions, at a level to maintain world-class status of the San Francisco Symphony. (Supervisors Ammiano, Alioto, Teng, Yaki, Katz, Bierman, Kaufman, Leal, Shelley)

File 197-96-6, Resolution No. 1001-96

(October 21, 1996 - Introduced in Board for consideration on October 28, 1996.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.21

(October 21, 1996 - Introduced in Board for consideration on October 28, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Alioto, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Alioto, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Imperative Resolutions]

Adopted

[Commend Ernst Meyer]
Resolution commending Ernst Meyer for his many years of service to the residents of San Francisco as the proprietor of the Scandinavian Delicatessen and his many charitable contributions to the community.

File 006-96-163, Resolution No. 983-96

Supervisor Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

[Commend Mark Hagopian]
Resolution commending Mark Hagopian for his years of outstanding service as a member of the San Francisco Assessment Appeals Board.

File 006-96-164, Resolution No. 984-96

Supervisor Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Absent: Supervisor Shelley - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Commend Maeley Tom]
Resolution commending Maeley Tom for distinguished lifetime achievement in public service and declaring November 8, 1996 as "Maeley Tom Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 006-96-165.

[Commend Barbara W. Sahm]
Resolution expressing the gratitude of the Board of Supervisors of San Francisco to Environmental Review Office, Barbara W. Sahm upon her retirement for twenty years of distinguished service to the City and County of San Francisco. Supervisors Bierman, Alioto, Brown, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 006-96-166.

[Commend Asian American Theater Company]
Resolution commending the Asian American Theater Company on its 24 years of outstanding artistic contributions to the community and on its production of "Yellow Fever" running November 8 through December 1, 1996 at the Noh Space in San Francisco. Supervisors Hsieh, Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 006-96-167.

[Commendation]
Resolution commending Mark Primeau and Alexander Mamak of the Department of Public Works, Joel Robinson of the Recreation and Park Department and Bevan Dufty of the Mayor's Office on their plan for a pilot program for the creation of a Department of Neighborhood Services in San Francisco, starting November 13, 1996. Supervisors Kaufman, Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Leal, Teng, Yaki, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 006-96-168.

[Commend Barbara Chionsini]
Resolution commending Barbara Chionsini and the Everglade Safe Neighborhood organization for their efforts to build coalitions and promote public safety awareness in the Lakeshore Neighborhood. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 006-96-169.

[Stop Intersection, California/23rd Avenue]
Resolution urging the Department of Parking and Traffic to install Stop signs at the intersection of California Street and 23rd Avenue to improve the traffic safety in the area and to install the Stop signs within 30 days after the Mayor signs the legislation. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 018-96-016.

Referred to Committee

[Emergency Work, Hot Water System]
Resolution authorizing the Director of Health to execute an agreement on an emergency basis with Fisher O'Connel Associates to design the replacement of the hot water system at Laguna Honda Hospital. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 028-96-011.

Referred to Board

[Gender Identity Disorder]
Resolution condemning use of gender identity disorder diagnosis against children and youth. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 030-96-021.

Referred to Committee

[Domestic Violence Protocol]
Resolution endorsing the San Francisco Domestic Violence Protocol, which establishes guidelines for health care professionals for response to domestic violence in order to improve the quality of care given to domestic violence patients, and encourages all public and private health care providers to adopt and implement it as soon as possible. Supervisors Kaufman, Leal, Alioto, Shelley, Katz, Brown, Bierman presented. Referred to Health/Public Safety/Environment Committee.

File 030-96-022.

Referred to Board

[Community Development Funding]
Resolution urging the Mayor's Office of Community Development to allocate funds to youth services that match the needs of gay, lesbian, bisexual and transgender youth. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 079-96-002.

[Campaign Consultant, Honest Elections Ordinance]
Resolution urging the Mayor of the City and County of San Francisco not to veto the regulation of campaign consultants legislation (File 97-96-13). Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 097-96-013.01.

Referred to Committee

[Interim Zoning Controls]
Resolution imposing Interim Zoning Controls to temporarily prohibit new retail coffee stores in the Castro Street and Upper Market Street Neighborhood Commercial Districts, as set forth in Planning Code Sections 715.1 and 721.1, respectively, for an eighteen (18) month period and making a finding of consistency with the priority policies of Planning Code Section 101.1. Supervisors Katz, Kaufman, Leal, Shelley, Bierman, Alioto, Brown presented. Referred to Housing and Land Use Committee.

File 111-96-006.

[Long Term Care Pilot Project Task Force]
Resolution designating the Department of Public Health as the lead agency for implementing a Long Term Care Pilot Project and creating a task force to develop a comprehensive plan for long-term care pursuant to the State's Long Term Care Integration Pilot Program. Supervisor Shelley presented. Referred to Rules Committee.

File 174-96-004.

[Sister City]
Resolution reaffirming support for the sister city relationship between the City and County of San Francisco and the City of Assisi, Italy. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 273-96-001.

Referred to Board

[Sister City]
Resolution approving creation of a sister city affiliation between the City and County of San Francisco and the City of Paris, France, and authorizing the Mayor to take the necessary steps to effectuate a sister city affiliation program. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar November 4, 1996.

File 273-96-002.

Referred to Committee

[Municipalization Study]
Resolution supporting a full and comprehensive study regarding the feasibility of municipalizing the electric utilities distribution system in the City and County of San Francisco. Supervisors Alioto, Ammiano, Bierman, Yaki presented. Referred to Select Committee on Municipal Public Power with request it be considered on November 21, 1996.

File 285-96-001.

Requests for Hearings:

[Condom Distribution in Bars and Clubs]
Hearing to consider condom distribution in bars and clubs throughout San Francisco. Supervisors Katz, Leal, Ammiano, Alioto, Bierman, Brown presented. Referred to Government Efficiency/Labor Committee with request it be considered on December 12, 1996.

File 030-96-023.

[Liquor License Jurisdiction/Procedure]
Hearing to discuss the Board of Supervisors' jurisdiction over issuance of liquor licenses, the process and whether the City should recommend amendments to current State law. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 223-96-043.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-084. [Cammarata et al., v CCSF et al.] Ordinance authorizing settlement of litigation of Barbara Cammarata against the City and County San Francisco by payment of $65,000. (Superior Court No. 977-779). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-085. [Jessie David Wall v. CCSF et al.] Ordinance authorizing settlement of litigation of Jessie David Wall against the City and County of San Francisco by payment of $7,500. (Superior Court No. 973-216). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-086. [Evelyn Dusovsky v. CCSF et al.] Ordinance authorizing settlement of litigation Evelyn Dusovsky against the City and County of San Francisco by payment of $7,500. (Superior Court No. 966-955). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-087. [Florence Basuino v. CCSF et al.] Ordinance authorizing settlement of litigation of Florence Basuino against the City and County of San Francisco by payment of $235,000. (Superior Court No. 961-562). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-088. [John Dilatush et al. v. CCSF et al.] Ordinance authorizing settlement of litigation of John and Patricia Dilatush against the City and County of San Francisco by payment of $20,000. (Superior Court No. 963-918). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-089. [Hernandez/Ruanto v. CCSF et al.] Ordinance authorizing settlement of litigation of

Raly James Hernandez, Ederlinda Hernandez, Christina Ruanto against the City and County of San Francisco by payment of $17,500. (Municipal Court No. 119-035). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-090. [Araya v. CCSF] Ordinance authorizing settlement of litigation of Araya against the City and County of San Francisco with no payment of money by San Francisco and with San Francisco's agreement that the settlement is without prejudice to any party (beside plaintiff) bringing a later claim arising out of the New Main Library construction project. (Superior Court No. 973-697) Referred to Government Efficiency/Labor Committee.

File 093-95-035.05. [Amendment to MOU, Local 21] Ordinance amending Ordinance 221-95 to implement the provisions of an arbitrator's award regarding pay equity adjustments for Classifications 2594 and 2595 Employee Assistance Counselors between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to be effective retroactive to July 1, 1993 through June 30, 1997. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-96-031. [MOU, Local 21 Full Retirement Contribution] Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between IFPTE Local 21 and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective December 28, 1996 following approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-96-059. [San Francisco General Hospital Trust Fund] Ordinance amending Administrative Code by adding Section 10.117-112 to establish in the treasury of the City and County of San Francisco special fund, to be known and designated as the San Francisco General Hospital Trust Fund. (Department of Public Health) Referred to Budget Committee.

File 101-96-014. [Appropriation, Department of Telecommunications] Ordinance appropriating $1,629,731, Department of Telecommunications and Information Services, by appropriating $531,121 of the General Fund Reserve, $750,000 from Internal Service Fund balance and rescinding $348,610 of professional and special services for fiscal year 1996-97. RO #96106. (Controller) Referred to Budget Committee.

File 101-96-015. [Appropriation, Airport Commission] Ordinance appropriating $189,327,750, Airport Commission, from proceeds of Airport Revenue Bonds, Issue 13, to capital improvement projects for infrastructure improvements, interest expenses and professional services for fiscal year 1996-97. RO #96111. (Controller) Referred to Budget Committee.

File 101-96-016. [Appropriation, Department of Public Works] Ordinance appropriating and rescinding $101,976, Department of Public Works, from Gasoline Tax Fund to a capital project for Mission Street Lighting for fiscal year 1996-97. RO #96107. (Controller) Referred to Budget Committee.

File 101-96-017. [Appropriation, Department of Public Works] Ordinance appropriating $165,000, Department of Public Works, of Broadway Parking Lot revenues to cover the cost of the acquisition and disposition of the Steuart/Folsom Street parcels and the design and administration of the Mid-Embarcadero Roadway Artwork Project for fiscal year 1996-97. RO #96108. (Controller) Referred to Budget Committee.

File 101-96-018. [Appropriation, Retirement System] Ordinance appropriating $360,000, Retirement System, of Deferred Compensation Program Revenue to salaries, fringe benefits, professional services, other current expenses and services of other departments for the Deferred Compensation Program for fiscal year 1996-97; providing for ratification of action previously taken. RO #96109. (Controller) Referred to Budget Committee.

File 101-96-019. [Appropriation, Port Commission] Ordinance appropriating $1,579,000, Port Commission, of San Francisco Harbor Operating Funds, for various capital improvement projects (income property improvements at Pier 26 Annex, Pier 1-1/2, Pier 50 Shed A/alternate shed, and Agriculture Building). RO #96112. (Controller) Referred to Budget Committee.

File 164-96-001.01. [Street Vacation/Sale - Portion of Alameda Street] Ordinance ordering the vacation of the public street easement over a portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 164-96-1 and 164-96-1.2. (Real Estate Department). Referred to Housing and Land Use Committee.

File 164-96-001.02. [Sale/Exchange of Property - Portion of Alameda Street] Ordinance authorizing the exchange of a former portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1; companion measure to Files 164-96-1 and 164-96-1.1. (Real Estate Department) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 007-96-007. [Contracted Paratransit Services] Resolution approving a revised fare schedule for the San Francisco Municipal Railway's contracted paratransit services. (Public Transportation Commission) Referred to Budget Committee.

File 040-96-030. [Residential Parking Area "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Committee.

File 048-96-047. [Settlement of Claim, Paul Franklin] Resolution approving the settlement of the unlitigated claim of Paul Franklin by payment of $7,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-048. [Settlement of Claim, Rick Knight] Resolution approving the settlement of the unlitigated claim of Rick Knight by payment of $7,894.17. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-96-011. [Lease, Water Department/Cisco Systems, Inc.] Resolution authorizing a 40-year lease of Water Department land between the City and County of San Francisco and Cisco Systems, Inc., in Santa Clara County. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 094-96-002. [Federal Grant, Energy Conservation] Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of $100,000, which includes indirect costs in the amount of $12,460 based on twenty percent of salaries, from the U.S. Department of Energy and the Urban Consortium Energy Task Force; providing for ratification of action previously taken. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 096-96-003. [Sale of Surplus Property] Resolution authorizing the sale of Water Department surplus property (0.73 acre parcel of land), to the City of Millbrae for $1,250,000. (Real Estate Department) Referred to Budget Committee.

File 138-96-012. [State Grant, Spousal Abuser Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds not to exceed $132,000.00 with no indirect cost available through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the twelve month period July 1, 1996 through June 30, 1997. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 143-96-002.01. [State Grant, Anti-Drug Abuse Enforcement Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of One Hundred Fifty One Thousand Five Hundred Ninety Four Dollars ($151,594.00) which includes indirect costs of Seven Thousand Five Hundred Eighty Dollars ($7,580.00) based upon five percent of the total grant award, and One Thousand Five Hundred Dollars ($1,500.00) for audit costs, for continual funding for a project entitled "Anti-Drug Abuse Enforcement Program", and rescinding Resolution No. 653-96. (See File 143-96-2) (Police Department) Referred to Government Efficiency/Labor Committee.

File 146-96-024. [State Grant, Family Violence Prevention Project] Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively a grant of $250,000 from the California Department of Social Services for collaborative efforts to provide alternatives to violence in the community; providing for ratification of action previously taken; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 156-96-002. [Private Industry Council, Inc.] Resolution designating Private Industry Council of San Francisco, Inc. as the agency responsible for the preparation, submittal, and approval of the 1996 Refugee County Plan and for preparing and executing any amendments to either or both of the 1994 and 1995 refugee contracts. (Private Industry Council) Referred to Government Efficiency/Labor Committee.

File 164-96-001. [Street Vacation/Sale - Portion of Alameda Street] Resolution declaring intention of the Board of Supervisors to vacate portion of Alameda Street between Treat Avenue and Florida Street, and setting the hearing date for all persons interested in the proposed vacation; companion measure to Files 164-96-1.1 and 164-96-1.2. (Real Estate Department) Referred to Housing and Land Use Committee.

File 170-96-009. [Geary Courtyard Revenue Bonds] Resolution approving the reissuance of not to exceed $18,000,000 aggregate principal amount of City and County of San Francisco Multifamily Housing Revenue Bonds, 1988 Issue B; approving the amended and restated Lender Loan Agreement and Indenture of Trust; approving the Amended and Restated Loan Agreement; approving the first amendment to Regulatory Agreement and Declaration of Restrictive Covenants; approving the form of an amended and restated Bond; ratifying previous actions; and authorizing the execution and delivery of documents and instruments. (Mayor's Office of Housing) Referred to Budget Committee with request it be considered at the November 13, 1996 meeting.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney prepare ordinance amending Planning Code to require

conditional use authorization for concurrent sales of beer and wine with gasoline and the prohibition of sale of distilled liquor at gasoline stations.

By Supervisor Katz, that letter of inquiry be sent to Director of Public Health to determine the feasibility of creating a systematic plan for widespread condom distribution in bars and clubs throughout San Francisco and the cost for such a program. File 30-96-23.

By Supervisors Kaufman, Leal, Alioto, Katz, Brown, Bierman, that City Attorney review appropriate codes and draft an ordinance which would require all publicly funded health organizations and all health organizations with which the City has entered or will enter into agreements for contractual services to adopt written domestic violence protocols which include procedures for routine screening of all women and adolescent girls for past and current abuse and the training of all health care personnel, as well as the availability of training materials for all staff and informational materials for all patients (using as a model, the San Francisco Domestic Violence Protocol).

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Cornelius Murphy (By the entire Board)
Catherine Ursula O'Brien (Supervisor Bierman)
Bess Meblin Lueb (Supervisor Bierman)
Otto W. Reutinger (Supervisor Leal)
Nicolasa Hale (Supervisor Leal)

File 2-96-43
Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:15 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 13, 1997

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, November 4, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 91 Number 44

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 4, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Leal, Shelley, Teng, Yaki - 9.

Noted absent at first roll call:

Supervisor Hsieh, Kaufman - 2.

Quorum present.

Supervisor Hsieh was noted present at 2:33 p.m.

Supervisor Kaufman was noted present at 2:09 p.m.

Presentation of Guests

Supervisor Ammiano introduced and welcomed two distinguished members of the British parliament, Pat Tyler and Richard Burton, who are here to study our local referendum procedures.

COMMUNICATION

The Clerk presented the following communication from his Honor, the Mayor, returning with his veto the regulation of campaign consultant ordinance:

November 1, 1996

Honorable Tom Ammiano
San Francisco Board of Supervisors
401 Van Ness Avenue, Room 308
San Francisco, CA. 94102

Dear Supervisor Ammiano:

Pursuant to Charter Section 3.103 in the City and County of San Francisco, I hereby veto the legislation that would regulate campaign consultants (File 97-96-13).

I know you and your colleagues on the Board of Supervisors fervently believe, as I do, in the concept of clean and open government. As elected public officials, we have a moral and legal responsibility to do no less, and I commend you for your tireless efforts in this arena.

San Franciscans vote for their officials knowing that there will be pressures put on them by a myriad of interest groups. Lobbyists from the worlds of business, from community-based organizations, from labor and from non-profit agencies all seek to influence public servants and the legislation they craft. This is our system of open democracy.

To begin imposing restrictions on which of their elected officials these members of the private sector may lobby and when they may lobby them would have a chilling effect on that democratic process.

Further, many of the regulations suggested by this legislation already are in place vis a vis the Fair Political Practices Commission and the San Francisco Ethics Commission.

The burden of maintaining integrity in government belongs with the elected officials and not with the private sector. We as public servants do not prove our honesty and adherence to high principles by

imposing restrictions on others. Rather, in instances of potential conflicts of interest, we as public servants have a responsibility and a moral obligation to recuse ourselves from discussion and action on that particular issue. The voters have placed that faith in us. Surely we can exhibit that same faith in ourselves?

Per an amendment offered by Supervisor Susan Leal, this legislation should shift the onus of recusal from the political consultant to the elected official. This amendment is supported by myself and by Board President Kevin Shelley.

If Supervisor Leal's amendment is adopted in reference to this legislation, I would certainly support and sign it.

Sincerely

Willie L. Brown Jr.
Mayor

Consideration Continued

[Regulation of Campaign Consultants]
Ordinance amending Administrative Code by adding Sections 16.540 through 16.547 to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders, and certain former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. (Supervisors Ammiano, Bierman)

File 97-96-13

The Clerk stated, pursuant to Rule 4.15 of the Rules of Order of the Board of Supervisors, this item will be placed on the November 12, 1996 agenda.

CONSENT CALENDAR

Recommendation of Budget Committee

Adopted

[Lease Amendment, 875 Stevenson Street]
Resolution authorizing a lease amendment at 875 Stevenson Street for the Department of Telecommunications and Information Services and other departments. (Real Estate Department)

File 64-96-20, Resolution No. 1018-96

Adopted.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Stone et al., v. CCSF et al.]
Ordinance authorizing settlement of appellate attorneys' fees litigation in Stone, et al., v. City and County, et. al., including the payment of $113,200 in attorneys' fees. (City Attorney)

File 45-96-79, Ordinance No. 431-96

(U.S. Court of Appeal No. 94-16015 and U.S. District Court No. C78-2774 WHO.)

Finally passed.

[Arnold Bletnitsky et al, v. CCSF et al.]
Ordinance authorizing settlement of litigation of Arnold Bletnitsky against the City and County by payment of $7,500. (City Attorney)

File 45-96-80, Ordinance No. 432-96

(Municipal Court No. 122-989.)

Finally passed.

[Julia Hannon v. CCSF et al.]
Ordinance authorizing settlement of litigation of Julia Hannon against the City and County by payment of $20,000. (City Attorney)

File 45-96-81, Ordinance No. 433-96

(Superior Court No. 967-638.)

Finally passed.

[David Johansen v. Lakeside Company/CCSF et al.]
Ordinance authorizing settlement of litigation of David Johansen against the City and County by payment of $13,500. (City Attorney)

File 45-96-82, Ordinance No. 434-96

(Superior Court 967-070.)

Finally passed.

[Goldbarg Fahid et al., v. CCSF et al.]
Ordinance authorizing settlement of litigation of Goldbarg Fahid against the City and County by payment of $30,000. (City Attorney)

File 45-96-83, Ordinance No. 435-96

(U.S. District Court No. C94-3523 CAL.)

Finally passed.

[Catastrophic Sick Leave Policy]
Ordinance amending Administrative Code, by naming this section T.J. Anthony Catastrophic Sick Leave Policy - Transfer of Sick Leave and Vacation Credits to Catastrophically Sick Employees. (Supervisors Kaufman, Katz, Shelley, Teng, Leal, Alioto, Ammiano, Yaki, Brown, Bierman)

File 97-96-8.2, Ordinance No. 436-96

(Amends Section 16.9-29.)

Finally passed.

Recommendations of Select Committee on Charter Implementation

Finally Passed

[Former Charter Provisions]
Ordinance amending Administrative Code, relating to the Department of Public Works. (Supervisor Kaufman)

File 97-96-19.5, Ordinance No. 437-96

(Adds Section 2A.190.)

Finally passed.

[Former Charter Provisions]
Ordinance amending Administrative Code, to convert various 1932 Charter Sections to ordinance and to repeal former 1932 Charter Sections by operation of Charter Section 18.103. (Supervisor Kaufman)

File 97-96-19.6, Ordinance No. 438-96

(Adds Section 16.5, to codify Section 8.311 of the 1932 Charter; amends Sections 16.4 and 16.89-17, to codify Sections 7.702 and 8.104 of the 1932 Charter; making necessary changes to conform to the 1996 Charter; and repealing former Charter Sections 7.701, 7.702, 7.703, 8.104, 8.106, 8.410,

8.411, 9.104, 9.113, 9.114 and 9.115.)

Finally passed.

[Former Charter Provisions]
Ordinance amending Administrative Code to convert various 1932 Charter Sections to ordinance and repealing former 1932 Charter Sections by operation of Charter Section 18.103. (Supervisor Kaufman)

File 97-96-19.7, Ordinance No. 439-96

(Adds Sections 16.702, 2A.170, 2A.171, 2A.172, 2A.180, 10.04, 10.05, 10.06, 10.07, 10.08, 10.19-1, 10.19-2, 10.08-1, 10.08-2, 2.60, 10.19-3, 10.117-116, 1.20, 10.158-1, 6.07, 6.64, 6.65, 2.61, 2.62, 2.63, 23.1-1, 23.25-1, 23.25-2, 23.25-3, 23.6-3, 2A.173, 1.51, 1.52, 1.53 and 1.55, to codify Sections 3.680, 3.691, 3.693, 3.694, 3.698-3, 6.207, 6.301, 6.302, 6.303, 6.304, 6.309, 6.310, 6.312, 6.313, 6.401, 6.402, 6.407-1, 6.410, 7.104, 7.201, 7.202, 7.206, 7.304, 7.306, 7.308, 7.401, 7.402, 7.403, 7.403-1, 7.404, 7.405, 7.600, 7.601, 7.604, and 7.606 of the 1932 Charter; making necessary changes to conform to the 1996 Charter; and repealing former Charter Sections 3.692, 3.698-1, 3.698-2, 3.699-2, 3.707, 6.400, 6.403, 6.407, 6.407-2, 6.408, 7.205, 7.402-1, 7.602 and 7.605.)

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-96-15, Resolution No. 1013-96

(Stop Signs - Establish

Corona Street and Urbano Drive (south intersection), northwest and southeast corners, stopping Corona Street traffic (makes this intersection an all-way stop);

Hermann and Steiner Streets, northeast corner, stopping Hermann Street traffic (stops the stem of this T-intersection);

Mangels and Valdez Avenues, northwest and southeast corners, stopping Valdez Avenue traffic (makes this intersection a two-way stop);

Santa Paula Avenue and Santa Monica Way, northeast and southwest corners, stopping Santa Monica Way traffic (makes this intersection a two-way stop).

Adopted.

[Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-96-13, Resolution No. 1014-96

(Perpendicular (90-Degree Angle) Parking - Rescind
First Street, west side, between Minna and Natoma Streets (restores parallel parking).

Diagonal (45-Degree Angle) Parking - Rescind
Perpendicular (90-Degree Angle) Parking - Establish
Spear Street, east side, from Market Street to 211 feet southerly (211-foot zone, adds seven parking spaces).

Tow-Away, No Parking Anytime - Establish

Spear Street, west side, from Market Street to 265 feet southerly (265-foot zone, eliminates Meter Nos. 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24).

Perpendicular (90-Degree Angle) Parking - Rescind (3-Month Trial Period)
Main Street, east side, from Harrison Street to 260 feet southerly (260-foot zone).

No Parking Anytime - Establish
Seventeenth Street, south side, from 85 feet to 135 feet east of Temple Street (50-foot zone, in front of Corbin Place stairs).

Sanchez Street, dead-end portion, north of Twentieth Street (end of cul-de-sac).

No Parking Anytime - Establish
Alemany Boulevard, east side, from Naglee Avenue to 100 feet southerly (100-foot zone).

Alemany Boulevard, east side, from Foote Avenue to 40 feet southerly (40-foot zone).

Alemany Boulevard, west side, from Foote Avenue to 40 feet northerly (40-foot zone).

No Parking Anytime - Establish
Union Street, north side, from Battery Street to 46 feet westerly (46-foot zone).

No Parking, 6:30 a.m. - 6:00 p.m., Monday Through Saturday - Establish
Union Street, south side, from 45 feet to 81 feet west of Battery Street (36-foot zone, eliminates four perpendicular stalls at Meter Nos. 111, 113, 115 and 117).)

Adopted.

[Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-17, Resolution No. 1015-96

(Bicycle Lanes - Establish
Dewey Boulevard, both sides, between Laguna Honda Boulevard and Dewey Circle (Taraval Street, Claremont Boulevard, Kensington Way, and Montalvo Avenue).

Multiple Turn Lane - Rescind
Left Lane Must Turn Left - Establish
Sixteenth Street, westbound, at Market and Noe Streets.

One-Way Street - Establish
Iron Alley, westbound, between Corbett Avenue and Graystone Terrace.

Taxi Zone - Establish
Castro Street, west side, from 114 feet to 136 feet south of Market Street (22-foot zone, just south of sidewalk bulb).

Tow-Away, No Stopping Anytime - Establish
King Street, north side, between Fourth and Fifth Streets.

Market Street, east side, between Mono and Eagle Streets.

Tow-Away, No Stopping, 7 a.m. - 9 a.m., Monday Through Friday - Establish
Second Street, east side, between King and Berry Streets.

Tow-Away, No Stopping, 7 a.m. - 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 7 a.m. - 7 p.m., Monday Through Friday - Establish
Sacramento Street, north side, between Drumm and Kearny Streets (extends existing regulation to 7 p.m.).

Tow-Away, No Stopping, 4 p.m. - 6 p.m., Monday Through Friday - Rescind
First Street, east side, between Natoma and Howard Streets.

Tow-Away, No Stopping 7 a.m. - 9 a.m. and 3 p.m. - 7 p.m., Monday Through Friday - Rescind
First Street, west side, between Minna and Natoma Streets.

Left Lane Must Turn Left - Establish (Three-Month Trial Period)
Main Street, northbound, at Harrison Street.

Tow-Away, No Stopping Anytime - Establish
Stanyan Street, west side, between Fell Street and John F. Kennedy Drive.

Tow-Away, No Stopping, 4 p.m. - 6 p.m., Everyday - Establish
Stanyan Street, west side, from Fell Street to 150 feet northerly (150-foot zone).

No Left Turn - Rescind
Stanyan Street, southbound, at John F. Kennedy Drive.

No Turn on Red - Establish

Stanyan Street, southbound, at John F. Kennedy Drive.

Right Turn Only - Establish
Oak Street, westbound, at Stanyan Street.

Tow-Away, No Stopping, 9 a.m. - 7 p.m., Everyday - Establish
Fell Street, north side, from Stanyan Street to 135 feet easterly (135-foot zone).

Tow-Away Lane Must Turn Right - Establish
Fell Street, westbound, at Stanyan Street.

One-Way Street - Rescind
Sansome Street, northbound, between Bush and Washington Streets.

Buses and Commercial Vehicles Only - Establish
Sansome Street, west curb lane (southbound), between Bush and Washington Streets.

Tow-Away, No Stopping, 3 p.m.- 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 3 p.m. - 7 p.m., Monday Through Friday - Establish
Sansome Street, east side, between Bush and Washington Streets.

Tow-Away, No Stopping, 3 p.m. - 7 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 7 a.m. - 7 p.m., Monday Through Friday - Establish
Sansome Street, east side, from California Street to 70 feet southerly (70-foot zone, eliminates Meter Nos. 226, 228 and 230).

Sansome Street, east side, from Clay Street to 55 feet southerly (55-foot zone, eliminates Meter Nos. 424 and 426).

Note: The following items for Second Street are proposed for a three-month trial period.

Multiple Turn Lanes - Establish
Second Street, northbound, at Harrison Street (within channelized right turn area).

No Right Turn - Establish
Second Street, northbound, at Harrison Street (from the No. 2 lane, north of the traffic island).

Tow-Away Lane Must Turn Right - Establish
Second Street, northbound, at Bryant Street.

Tow-Away, No Stopping, 4 p.m. - 7 p.m., Monday Through Friday - Establish
Second Street, east side, between Brannan and Bryant Streets.

Tow-Away, No Stopping, 4 p.m. - 7 p.m., Monday Through Friday, Except Transit - Establish
Second Street, east side, between Bryant and Harrison Streets.

Mid-Block Crosswalk - Establish
Union Street, from 120 feet to 150 feet west of Battery Street (30-foot wide crosswalk, opposite Ice House Alley).)

Adopted.

[Residential Parking Area "D," Glen Park]
Resolution extending the boundaries of Permit Parking Area "D," in the Glen Park Area and adding Chilton Avenue, from Bosworth Street to the south end, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-26, Resolution No. 1017-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[City Contracts Domestic Partner Benefits]
Ordinance amending Administrative Code, to prohibit the City from entering into any contracts or other agreements with any party that discriminates in the provision of benefits between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of such employees, and to define domestic partner for the purposes of these sections. (Supervisors Ammiano, Katz, Alioto, Bierman, Leal, Kaufman, Yaki, Brown, Teng)

File 97-96-33, Ordinance No.

(Amends Sections 12B.1, 12B.2, 12C.1 and 12C.2.)

Motion to amend refused adoption

Supervisor Shelley, seconded by Supervisor Alioto, moved to amend to exempt subcontractors and to set effective date of six months after passage.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Alioto, Brown, Shelley, Teng, Yaki - 5.

Noes: Supervisors Ammiano, Bierman, Katz, Kaufman, Leal - 5.

Absent: Supervisor Hsieh - 1.

The roll was then called on the pending ordinance and it was finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Human Services]
Ordinance appropriating $63,773, Department of Human Services, of Federal revenue, and transferring $110,602 of In-Home Supportive Services-IP payment to fund $174,375 of IHSS contract payments to increase IHSS workers wages for fiscal year 1996-97; providing for ratification of action previously taken. (Supervisors Shelley, Bierman)

File 101-96-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Appropriation, Department of Telecommunications]
Ordinance appropriating $1,620,991, Department of Telecommunications and Information Services, by appropriating $531,121 of the General Fund Reserve, $741,260 from Internal Service Fund balance and rescinding $348,610 of professional and special services for relocation of department for fiscal year 1996-97. (Controller)

File 101-96-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Police Department Membership]
Ordinance amending Administrative Code, relating to Police Department memberships by adding specified organizations. (Police Commission)

File 97-96-57, Ordinance No.

(Amends Section 16.6-47.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Military Bases - Building Code Requirements]
Ordinance amending Building Code, to implement California Health and Safety Code Section 18941.7, which authorizes the City under specified conditions to allow a building or other structure located on a military base selected for closure to comply with Building Code requirements in a graduated manner over a period of no more than 10 years. (Supervisors Shelley, Teng)

File 114-96-1, Ordinance No.

(Adds Section 3406.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Encroachment Permit, Polk/Myrtle Streets]
Resolution granting, retroactively to September 17, 1996, revocable permission to DPR Construction, Inc. to temporarily close and occupy the west sidewalk and a portion of the street area on Polk Street and the south sidewalk and a portion of the street area on Myrtle Street for demolition and related construction operations at 1000 Van Ness Avenue/901 Polk Street (Block 715, Lots 2 and 5). (Department of Public Works)

File 10-96-8, Resolution No. 1011-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Encroachment Permit, 21st Street/Treat Avenue]
Resolution granting revocable permission to S.J. Amoroso Construction Company, Inc. to temporarily close and occupy the south sidewalk and a portion of the street area on 21st Street and the east sidewalk and a portion of the street area on Treat Avenue during construction operations at Moscone Elementary School at 2576 Harrison Street (Block 3613, Lot 1). (Department of Public Works)

File 10-96-9, Resolution No. 1012-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Street Artists]

Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Art Commission, for the winter holiday season, 1996, beginning on November 15, 1996 and ending on January 15, 1997. (Supervisors Teng, Bierman, Alioto)

File 169-96-4, Resolution No. 1023-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[General Plan Amendment, Terminal Separator]
Resolution approving amendments to the San Francisco General Plan in order to conceptually approve the Mid-Embarcadero Replacement Project and the terminal separator structure replacement project. The amendments were adopted by the Planning Commission by Resolution No. 14194 on September 19, 1996, incorporating by reference findings pursuant to the California Environmental Quality Act as analyzed in the Final Environmental Impact Report for the alternatives to replacement of the Embarcadero Freeway and the terminal separator structure, File No. 92.202E/94.060E. (City Administrator-Waterfront Transportation Projects)

File 271-96-3, Resolution No. 1028-96

(Filed October 2, 1996.)

(Planning Department Resolution No. 14195 adopted September 19, 1996 finding the project consistent with the eight Priority Policies and in conformity with the General Plan.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Mid-Embarcadero Separator Structure Project]
Resolution adopting findings under the California Environmental Quality Act, approving the DPT variant of the Mid-Embarcadero Roadway and Terminal Separator Structure Replacement Project, urging the appropriate traffic mitigation measures to lessen project impacts on Chinatown and North Beach and authorizing Department of Public Works to accept and expend $65.6 million in Federal Emergency Relief funds and placing those funds on reserve pending budget details; companion measure to File 271-96-3. (City Administrator- Waterfront Transportation Projects)

File 85-96-2, Resolution No. 1021-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

[Urban Design Concept, Mid-Embarcadero Project]
Resolution endorsing the urban design concept for the Mid-Embarcadero Roadway and Open Space, limiting improvements on Assessor's Blocks 202 and 203 to landscaping, and directing City staff to implement the concept plan; companion measure to Files 85-96-2 and 271-96-3. (City Administrator Waterfront Transportation Projects)

File 85-96-3, Resolution No. 1022-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Long Term Care Pilot Project Task Force]
Resolution designating the Department of Public Health as the lead agency for implementing a Long Term Care Pilot Project and creating a task force to develop a comprehensive plan for long-term care pursuant to the State's Long Term Care Integration Pilot Program. (Supervisors Shelley, Leal, Kaufman, Yaki, Teng)

File 174-96-4 Resolution No. 1024-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Kaufman, Yaki, Teng requested to be added as co-sponsors.

Passed for Second Reading

[Sexual Harassment Policy]
Ordinance amending Administrative Code by repealing Section 16.9-25, by adding Section 16.9-25, concerning policy on sexual harrassment; charging the Human Resources Director with providing quarterly and annual reports on sexual harassment; and providing that the Commission on the Status of Women may offer support on related matters. (Supervisors Shelley, Kaufman, Bierman, Leal, Alioto, Yaki, Teng)

File 97-96-18.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Alioto, Yaki, Teng requested to be added as co-sponsors.

Adopted

[Neighborhood Commercial District Evaluations]
Resolution requesting the Planning Commission to undertake an evaluation of neighborhood commercial districts, as defined in Planning Code Section 702.1 and other neighborhoods, setting forth goals for the evaluation, including determining what appropriate changes are needed to preserve neighborhood commercial character, and requesting a report to be submitted on the results of the evaluation. (Supervisors Shelley, Katz, Alioto, Teng, Yaki, Ammiano, Brown, Hsieh, Leal, Kaufman, Katz)

File 189-96-3, Resolution No. 1025-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Kaufman, Katz requested to be added as co-sponsors.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Daniel, police department;
Phyllis Burk, oppose gender identity disorder diagnosis;
Camille, oppose gender identity disorder diagnosis;
Tamara Ching, oppose gender identity disorder diagnosis;
Jim Buckley, Castro Street no parking signs;
Jerry Windley, aide to Supervisor Alioto, parting comments;
Homeowner, housing permit fines;
Deborah May, school admission problem;
David Ferguson, parking and traffic policy;
Ms. Gerber, library card catalog;
James Chaffee, public library.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Hsieh requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Campaign Consultant, Honest Elections Ordinance]
Resolution urging the Mayor not to veto the regulation of campaign consultants legislation (File 97-96-13). (Supervisor Ammiano)

File 97-96-13.1, Resolution No.

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

At the request of Supervisor Hsieh, referred to Rules Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Maeley Tom]
Resolution commending Maeley Tom for distinguished lifetime achievement in public service and declaring November 8, 1996 as "Maeley Tom Day" in San Francisco. (Supervisors Teng, Hsieh, Leal, Alioto, Brown, Kaufman, Ammiano, Katz, Bierman, Shelley, Yaki)

File 6-96-165, Resolution No. 1005-96

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[Commend Barbara W. Sahm]
Resolution expressing the gratitude of the Board of Supervisors to Environmental Review Office, Barbara W. Sahm upon her retirement for twenty years of distinguished service to the City and County. (Supervisors Bierman, Alioto, Brown, Shelley, Kaufman, Yaki)

File 6-96-166, Resolution No. 1006-96

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Yaki requested to be added as co-sponsors.

[Commend Asian American Theater Company]
Resolution commending the Asian American Theater Company on its 24 years of outstanding artistic contributions to the community and on its production of "Yellow Fever" running November 8 through December 1, 1996 at the Noh Space in San Francisco. (Supervisors Hsieh, Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki, Shelley)

File 6-96-167, Resolution No. 1007-96

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

Adopted.

[Commendation]
Resolution commending Mark Primeau and Alexander Mamak of the Department of Public Works, Joel Robinson of the Recreation and Park Department and Bevan Dufty of the Mayor's Office on their plan for a pilot program for the creation of a Department of Neighborhood Services in San Francisco, starting November 13, 1996. (Supervisors Kaufman, Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Leal, Teng, Yaki, Shelley)

File 6-96-168, Resolution No. 1008-96

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

Adopted.

[Commend Barbara Chionsini]
Resolution commending Barbara Chionsini and the Everglade Safe Neighborhood organization for their efforts to build coalitions and promote public safety awareness in the Lakeshore Neighborhood. (Supervisors Shelley, Bierman, Alioto, Kaufman, Teng)

File 6-96-169, Resolution No. 1009-96

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Teng requested to be added as co-sponsors.

[Gender Identity Disorder]
Resolution condemning use of gender identity disorder diagnosis against children and youth. (Supervisors Ammiano, Alioto, Leal, Bierman, Teng, Katz)

File 30-96-21, Resolution No. 1016-96

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng, Katz requested to be added as co-sponsors.

[Community Development Funding]
Resolution urging the Mayor's Office of Community Development to allocate funds to youth services that match the needs of gay, lesbian, bisexual and transgender youth. (Supervisors Ammiano, Bierman, Alioto, Leal, Teng, Katz)

File 79-96-2, Resolution No. 1020-96

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Katz requested to be added as co-sponsors.

[Sister City]
Resolution reaffirming support for the sister city relationship between the City and County and the City of Assisi, Italy. (Supervisors Alioto, Bierman, Teng, Katz)

File 273-96-1, Resolution No. 1026-96

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Katz requested to be added as co-sponsors.

[Sister City]
Resolution approving creation of a sister city affiliation between the City and County and the City of Paris, France, and authorizing the Mayor to take the necessary steps to effectuate a sister city affiliation program. (Supervisors Shelley, Hsieh, Bierman, Teng, Katz)

File 273-96-2, Resolution No. 1048-96

(October 28, 1996 - Introduced in Board for consideration on November 4, 1996.)

Adopted.

In connection with the above item, Supervisors Hsieh, Bierman, Teng, Katz requested to be added as co-sponsors.

[Disaster Relief Funding]
Resolution authorizing designated City and County officials to execute and file, on behalf of the City and County, an application for Federal and/or State financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the December 1995 storms. (Mayor Willie L. Brown, Jr.)

File 68-96-1.1, Resolution No. 1019-96

(October 30, 1996 - Referred to Board for consideration on November 4, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City

and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

[Imperative Resolution]

Adopted

[Commend KCBS Radio's Call for Action]
Resolution commending KCBS Radio's Call for Action on the occasion of its fifteenth anniversary and for its long and successful commitment to assisting consumers in the City and County of San Francisco for fifteen years of outstanding public service.

File 006-96-170, Resolution No. 1010-96

Supervisors Kaufman, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Shelley, Teng, Yaki - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[City Contracts Benefits Non-discrimination]
Ordinance amending Administrative Code by amending Sections 12B.1, 12B.2, 12C.1 and 12C.2 to clarify these sections and adding Sections 12B.5-1, 12B.5-2, 12C.5-1 and 12C.5-2 to provide exceptions to the domestic partners benefits contracting requirements and to provide for an effective date of the Domestic Partners Benefits Ordinance (six months from the date of approval). Supervisors Ammiano, Katz, Alioto, Teng Brown, Hsieh, Kaufman presented. Referred to Government Efficiency/Labor Committee.

File 097-96-033.01.

[Pharmacy Hours of Operation]
Ordinance amending Planning Code Sections 790.48 and 89D.48 to exempt pharmacies, as defined, from the permitted hours of operation, thereby allowing pharmacies to operate 24 hours per day and making determination of consistency with the priority policies of Planning code Section 101.1. Supervisors Teng, Brown, Katz, Ammiano, Hsieh, Yaki presented. Referred to Housing and Land Use Committee.

File 115-96-014.

[Commercial Sex Club Regulations]
Ordinance amending Health Code by adding Sections 27.1 through 27.24 to require a permit for the operation of a commercial sex club. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 118-96-007.

[Real Property Transfer Tax]
Ordinance amending Part III of the Municipal Code by adding Section 1108.4 which will exempt from the real property transfer tax conversions of stock cooperatives to condominiums which meet the criteria for exempt conversions set forth in Subdivision Code Section 1396 and in which 80 percent or more of the cooperative units are financed in whole or in part by the City and County (conversion of Amancio Ergina Village). Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the November 20, 1996 meeting.

File 127-96-009.

Referred to Board

[Regulation of Campaign Consultants]
Ordinance amending Administrative Code by adding Sections 16.540 through 16.547 to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders, and certain former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. Returned disapproved by the Mayor; consideration continued to November 12, 1996.

File 97-96-13.

[Commend Frank Agnost]
Resolution expressing the gratitude of the Board of Supervisors of the City and County of San Francisco to Frank P. Agnost for his five decades of civic leadership and community service to our City. Supervisor Bierman presented. Referred to Board for Adoption
Without Committee Reference Calendar November 12, 1996.

File 006-96-171.

[Banning Commercial Advertising on Vessels]
Resolution urging the Port Commission to amend the Port Harbor Code to ban non-incidental commercial advertising on vessels on the San Francisco Bay, urging the Bay Conservation and Development Commission to institute a ban on non-incidental commercial advertising on vessels on the San Francisco Bay, and urging the State of California to ban non-incidental commercial advertising on vessels on all waters within the jurisdiction of the State. Supervisors Katz, Alioto, Bierman, Brown, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar November 12, 1996.

File 012-96-046.

[Welfare Reform]
Resolution urging the California Legislature to consider amendments to State welfare laws to mitigate the impact of Federal welfare reform. Supervisors Katz, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar November 12, 1996.

File 012-96-047.

[Welfare Reform]
Resolution urging the California Congressional Delegation to support amendments to the Personal Responsibility Act of 1996. Supervisors Teng, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar November 12, 1996.

File 013-96-043.

Referred to Committee

[CEQA Findings for BART/SFIA]
Resolution adopting findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and the State CEQA guidelines in connection with approval of the BART/SFIA agreement for the BART-SFO Airport Extension Project and providing for a contribution of up to $200 million. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be consider at the November 14, 1996 meeting.

File 027-96-013.

[BART-SFIA Agreement]
Resolution approving the BART/SFIA agreement through its Airport Commission for the BART-San Francisco Airport Extension Project and providing for a contribution of up to $200 million. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the November 14, 1996 meeting.

File 027-96-013.01.

[1997 Emergency Shelter Grants Program]
Resolution approving the 1997 Emergency Shelter Grants Program expenditure schedule and authorizing the Mayor on behalf of the City and County of San Francisco to apply for, accept and expend a $684,000 entitlement under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development. Supervisor Hsieh presented. Referred to Budget Committee.

File 068-96-006.

[HOME Program]
Resolution authorizing the Mayor to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount up to $6,241,000 for the HOME Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625 and approving the HOME Program description as described in the 1997 Action Plan for San Francisco's consolidated plan; indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant funds. Supervisor Hsieh presented. Referred to Budget Committee.

File 068-96-007.

[Community Development 1997 Block Grant]
Resolution approving the 1997 Community Development Program; authorizing the Mayor to apply for, receive and expend the City's 1997 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, transfer and expend reprogrammed funds from prior year Community Development programs and program income generated by the San Francisco Redevelopment Agency up to $29,591,922, which include indirect costs of $120,000; approving expenditure schedules for recipient departments and agencies and for indirect costs, and, determining no environmental evaluation is required; authorizing the receipt and deposit in contingencies of 1997 CDBG entitlement funds in excess of $26,179,000. Supervisor Hsieh presented. Referred to Budget Committee.

File 079-96-003.

[Oil Spill/Clean-up]
Resolution urging the Port of San Francisco to conduct a full investigation into the circumstances leading up to the recent oil spill on the San Francisco Bay and into the status of the clean-up effort underway. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar November 12, 1996.

File 173-96-002.

[Chinese Historical Society of America]
Resolution approving and authorizing a deferred loan to the Chinese Historical Society of America for the acquisition of real property at 965 Clay Street and conversion of the property to a national learning center and Chinese history museum and approving conditions for forgiveness of repayment of the loan. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the November 13, 1996 meeting.

File 258-96-001.01.

Requests for Hearings:

[Release of Reserved Funds]
Hearing to consider release of $190,000 placed on reserve pending receipt of information on the MBE/WBE/LBE status of a competitively selected contractor for the St. Mary's Square Garage soil remediation project. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the November 20, 1996 meeting.

File 101-95-036.01.

[Oil Spill/Clean-up]
Hearing to consider the recent oil spill on the San Francisco Bay, reaction and efforts by appropriate authorities and the current clean-up efforts underway. Supervisor Yaki presented. Referred to Health/Public Safety/Environment Committee.

File 173-96-002.01.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar November 12, 1996.

File 030-96-001.22.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 032-96-1.4. [Cable Television Franchise Amendments] Substitute ordinance amending Ordinance Number 105-64, as amended by Ordinance No. 528-88, 315-89, 375-90 and 42-91, by amending all sections, including deleting Section 19 and Appendices 1 through 9, renumbering Sections 20 through 24 and adding new Sections 24, 25, 26, 27, 28, 29, 30, 31, and 32 and Appendices A through H, to clarify and expand the obligations of the grantee, Television Signal Corporation. (City Attorney) Referred to Rules Committee.

File 034-96-012. [Changing Width of Sidewalk, Eagle Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1532 changing the official sidewalk width on the south side of Eagle Street between Mono Street and Market Street, as shown on the Department of Public Works drawing labeled Q-20-460, and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 045-96-091. [Bernard Ogbuagu v. CCSF, et al.] Ordinance authorizing settlement of litigation of Bernard Obuagu against the City and County of San Francisco by payment of $9,500. (Superior Court No. 956-124). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-092. [Jones/Shkrabuik v. CCSF, et al.] Ordinance authorizing settlement of litigation of Peter M. Jones and Patricia Shkrabuik against the City and County of San Francisco by payment of $3,260,000. (Superior Court No. 974-206) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-093. [Eliza Gomez v. CCSF, et al.] Ordinance authorizing settlement of litigation of Eliza Gomez against the City and County of San Francisco by payment of $7,500. (Municipal Court No. 073-130). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-094. [Jung S. Rand v. CCSF, et al.] Ordinance authorizing settlement of litigation of Jung S. Rand against the City and County of San Francisco by payment of $43,000. (Superior Court No. 969-127). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-095. [Thomas Garcia v. CCSF, et al.] Ordinance authorizing settlement of litigation of Thomas Garcia against the City and County of San Francisco by payment of $30,000. (Superior Court No. 962-708). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 106-96-004. [Court Employee Executive Compensation] Ordinance setting schedules of compensation and other economic benefits for fiscal year 1996-97 for certain classifications of persons employed by the Municipal and Superior Courts for the City and County of San Francisco. (Municipal Court) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 032-96-1.5. [Cable Television Franchise Transfer] Substitute resolution approving transfer of control over Television Signal Corporation, San Francisco cable television franchise grantee, from Viacom, Inc. to Tele-communications, Inc. upon condition of acceptance and tender to the City and County of the franchise amendments, the guaranty, the mutual release and compensation of certain costs and expenses related to the transfer. (City Attorney) Referred to Rules Committee.

File 048-96-049. [Settlement of Claim, Consejo Varquez] Resolution approving the settlement of the unlitigated claim of Consejo Varquez by payment of $13,300.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-050. [Settlement of Claim, Joseph Lee] Resolution approving the settlement of the unlitigated claim of Joseph Lee by payment of $13,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-051. [Settlement of Claim, Stonestown Apartments] Resolution approving the settlement of the unlitigated claim of Stonestown Apartments by payment of $6,946.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-052. [Settlement of Claim, Carl Craig] Resolution approving the settlement of the unlitigated claim of Carl Craig by payment of $13,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-053. [Settlement of Claim, CSAA Insurance] Resolution approving the settlement of the unlitigated claim of CSAA (Insured, Sherry Gu) by payment of $5,807.75. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-021. [Lease Renewal at 1540 Market Street] Resolution authorizing the lease renewal of office space located at 1540 Market Street, Suites, 200, 210, 220 and 240, for the office of Emergency Medical Services, a division of the Department of Public Health, commencing November 1, 1996. (Real

Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-96-022. [Lease of Property at 1390 Market Street] Resolution authorizing a lease at Fox Plaza, 1390 Market Street, for the City Attorney. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 107-96-005. [Welfare Reform] Resolution urging the California Congressional Delegation to support amendments to the Personal Responsibility Act of 1996. (Department of Human Services). Referred to Economic Vitality/Social Policy Committee.

File 107-96-006. [Welfare Reform] Resolution urging the California Legislature to consider amendments to State welfare laws to mitigate the impact of Federal welfare reform. (Department of Human Services) Referred to Economic Vitality/Social Policy Committee.

File 148-96-006. [Federal Grant - Oakdale Avenue Bridge] Resolution authorizing retroactively the Director of Public Works to apply for, accept, and expend $3,418,410 in Federal funds for demolition and rebuilding of Oakdale Avenue Bridge, waiving indirect costs; rescinding Resolution 1031-93. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 172-96-037. [Hold Harmless Agreement] Resolution authorizing the Port of San Francisco to hold Madrigal-Wan Hai Lines harmless for claims arising out of their use of the Port's Marine Terminal Facilities at Pier 94/96. (Port Commission) Referred to Government Efficiency/Labor Committee.

File 199-96-004. [Lease and Interdepartmental Transfer] Resolution recognizing the validity of the existing ground lease for the property located at 7th Avenue and Warren Drive from the City and County of San Francisco to the San Francisco Unified School District ("District"), removing from the lease the restriction providing that the lease shall terminate if the District fails to obtain bids for the construction of a school on that property by July 1, 1995, and authorizing a transfer of said property to the District. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 207-96-012. [Renaming Police Crime Lab - Shoji Horikoshi] Resolution urging the official designation of the San Francisco Police Crime Lab at 606 Hunters Point as the "Shoji Horikoshi Crime Lab." (Police Commission) Referred to Health/Public Safety/Environment Committee.

ADJOURNMENT

There being no further business, the Board at the hour of 3:14 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 13, 1997

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor

Tuesday, November 12, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, November 12, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Kevin Shelley, the meeting was called to order at 2:05 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 6.

Noted absent at first roll call:

Supervisors Alioto, Katz, Shelley, Teng, Yaki - 5.

Quorum present.

Supervisor Alioto was noted present at 2:06 p.m.

Supervisor Katz excused from attendance. (See infra.)

Supervisor Shelley excused from attendance. (See infra.)

Supervisor Teng excused from attendance. (See infra.)

Supervisor Yaki excused from attendance. (See infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Bierman, seconded by Supervisor Kaufman, moved that Supervisor Leal be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

Supervisor Leal thereupon assumed the Chair.

Supervisors Katz, Shelley, Teng, Yaki Excused

The Clerk stated that Supervisors Katz, Shelley, Teng, and Yaki requested to be excused from attending today's meeting.

Supervisor Kaufman, seconded by Supervisor Bierman, moved to excuse Supervisors Katz, Shelley, Teng, and Yaki from attendance today.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Alioto, seconded by Supervisor Kaufman, moved that the Journals of Proceedings for Tuesday, September 24 and Monday, September 30, 1996, be approved.

Motion carried by the following vote:

Tuesday, November 12, 1996.

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Human Services]
Ordinance appropriating $63,773, Department of Human Services, of Federal revenue, and transferring $110,602 of In-Home Supportive Services-IP payment to fund $174,375 of IHSS contract payments to increase IHSS workers wages for fiscal year 1996-97; providing for ratification of action previously taken. (Supervisors Shelley, Bierman)

File 101-96-13, Ordinance No. 443-96

Finally passed.

[Appropriation, Department of Telecommunications]
Ordinance appropriating $1,620,991, Department of Telecommunications and Information Services, by appropriating $531,121 of the General Fund Reserve, $741,260 from Internal Service Fund balance and rescinding $348,610 of professional and special services for relocation of department for fiscal year 1996-97. (Controller)

File 101-96-14, Ordinance No. 444-96

Finally passed.

[Police Department Membership]
Ordinance amending Administrative Code, relating to Police Department memberships by adding specified organizations. (Police Commission)

File 97-96-57, Ordinance No. 442-96

(Amends Section 16.6-47.1.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Military Bases - Building Code Requirements]
Ordinance amending Building Code, to implement California Health and Safety Code Section 18941.7, which authorizes the City under specified conditions to allow a building or other structure located on a military base selected for closure to comply with Building Code requirements in a graduated manner over a period of no more than 10 years. (Supervisors Shelley, Teng, Bierman)

File 114-96-1, Ordinance No. 445-96

(Adds Section 3406.)

Finally passed.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Tuesday, November 12, 1996.

Consideration Continued

[Regulation of Campaign Consultants]
Ordinance amending Administrative Code by adding Sections 16.540 through 16.547 to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders, and certain former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. (Supervisors Ammiano, Bierman)

File 97-96-13, Ordinance No.

(October 21, 1996 - Finally Passed.)
November 1, 1996 - Returned to Board by Mayor, disapproved.
November 4, 1996 - Consideration continued to November 12, 1996.)

Supervisor Ammiano, seconded by Supervisor Kaufman, moved to continue consideration to November 18, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

Recommendation of Health, Public Safety and Environment Committee

Passed for Second Reading

[Tobacco Products]
Ordinance amending Police Code, to prohibit self-service merchandising of tobacco products except in places to which minors have no access. (Supervisors Alioto, Bierman, Yaki, Ammiano, Katz, Teng, Brown, Leal)

File 121-95-8, Ordinance No.

(Adds Article 46, Sections 4600 through 4600.8.)

(October 28, 1996 - Consideration continued to November 12, 1996.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

Recommendation of Rules Committee

Finally Passed

[Sexual Harassment Policy]
Substitute ordinance amending Administrative Code by repealing Section 16.9-25, by adding Section 16.9-25, by amending the policy on sexual harrassment; charging the Human Resources Director with providing quarterly and annual reports on sexual harassment; and providing that the Commission on the Status of Women may offer support on related matters. (Supervisors Shelley, Kaufman, Bierman, Alioto, Yaki, Teng)

File 97-96-18.1, Ordinance No. 441-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

NEW BUSINESS

Recommendation of Rules Committee

Adopted

Tuesday, November 12, 1996.

[Appointment]
Resolution appointing member to the Delinquency Prevention Commission, for new four-year term ending December 31, 2000. (Rules Committee)

File 92-96-57, Resolution No. 1036-96

(Brian Henning, Seat No. 21811, vice himself, term expires December 31, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]
Motion that the Board of Supervisors may meet in closed session under the provisions of Government Code Section 54956.9(b) to discuss with the City Attorney the continued provision of health care services to undocumented residents in light of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the Welfare Reform Act). A point has been reached where, in the opinion of the policy body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City. The relevant facts are the continued provision of health care services to undocumented residents pursuant to Resolution No. 817-96.

Supervisor Kaufman, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

Recess

The Board recessed at the hour of 2:12 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 2:57 p.m., reconvened.

Quorum present.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Kaufman, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of persons interested in or objecting to appointment of Mark Primeau, Director of Public Works, Road Commissioner for the City and County, and repealing Ordinance No. 155-93.

File 92-96-56

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

From Department of Public Works

Passed for Second Hearing

[Appointment, Road Commissioner]
Ordinance appointing Mark Primeau, Director of Public Works, Road Commissioner for the City and County, and repealing Ordinance No. 155-93.

File 92-96-56, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal - 7.

Absent: Supervisors Katz, Shelley, Teng, Yaki - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Male speaker, machine politics;
Camille, gender identity diagnosis;
Jennifer Freeman, gender identity diagnosis;
Warren Dreamer, homeless;
Pat Carrie, treatment programs and housing for homeless.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Commend Frank Agnost]
Resolution expressing the gratitude of the Board of Supervisors of the City and County to Frank P. Agnost for his five decades of civic leadership and community service to our City. (Supervisor Bierman)

File 6-96-171, Resolution No. 1030-96

(November 4, 1996 - Introduced in Board for consideration on November 12, 1996.)

Adopted.

[Banning Commercial Advertising on Vessels]
Resolution urging the Port Commission to amend the Port Harbor Code to ban non-incidental commercial advertising on vessels on the San Francisco Bay, urging the Bay Conservation and Development Commission to institute a ban on non-incidental commercial advertising on vessels on the San Francisco Bay, and urging the State of California to ban non-incidental commercial advertising on vessels on all waters within the jurisdiction of the State. (Supervisors Katz, Alioto, Bierman, Brown, Teng, Kaufman, Leal)

File 12-96-46, Resolution No. 1033-96

(November 4, 1996 - Introduced in Board for consideration on November 12, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal requested to be added as co-sponsors.

[Welfare Reform]
Resolution urging the California Legislature to consider amendments to State welfare laws to mitigate the impact of Federal welfare reform. (Supervisors Katz, Teng, Alioto, Bierman, Leal)

File 12-96-47, Resolution No. 1034-96

(November 4, 1996 - Introduced in Board for consideration on November 12, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal requested to be added as co-sponsors.

[Welfare Reform]
Resolution urging the California Congressional Delegation to support amendments to the Personal Responsibility Act of 1996. (Supervisors Teng, Katz, Alioto, Bierman, Leal)

File 13-96-43, Resolution No. 1035-96

(November 4, 1996 - Introduced in Board for consideration on November 12, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal requested to be added as co-sponsors.

[Oil Spill/Clean-up
Resolution urging the Port of San Francisco to conduct a full investigation into the circumstances leading up to the recent oil spill on the San Francisco Bay and into the status of the clean-up effort underway. (Supervisors Yaki, Alioto)

File 173-96-2, Resolution No. 1037-96

(November 4, 1996 - Introduced in Board for consideration on November 12, 1996.)

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.22

(November 4, 1996 - Introduced in Board for consideration on November 12, 1996.)

Adopted.

[Commending Levi Strauss & Company Valencia Street Plant]
Resolution commending Levi Strauss & Company on the occasion of its 90th anniversary celebration commemorating the company's oldest operating sewing factory on Valencia Street and proclaiming November 19, 1996 as Levi Strauss & Co. Day in the City and County of San Francisco. (Supervisors Leal, Kaufman)

File 6-96-172, Resolution No. 1031-96

(November 6, 1996 - Referred to Board for Adoption Without Committee Reference Calendar November 12, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal - 6.

Absent: Supervisors Hsieh, Katz, Shelley, Teng, Yaki - 5.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Bierman, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal - 6.

Absent: Supervisors Hsieh, Katz, Shelley, Teng, Yaki - 5.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Bierman, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal - 6.

Absent: Supervisors Hsieh, Katz, Shelley, Teng, Yaki - 5.

[Imperative Resolutions]

Adopted

[Commend Donald/Betty Green]
Resolution commending Dr. Donald E. Green and Sister Betty J. Green for 30 years of service to the San Francisco Christian Center.

File 006-96-173, Resolution No. 1032-96

Supervisors Shelley, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal - 6.

Absent: Supervisors Hsieh, Katz, Shelley, Teng, Yaki - 5.

[Independent Housing Services, Inc.]
Resolution commending Independent Housing Services, Inc. on 15 years of outstanding service to the community and proclaiming November 13, 1996 Independent Housing Services, Inc. Day in San Francisco.

File 004-96-024, Resolution No. 1029-96

Supervisors Yaki, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal - 6.

Absent: Supervisors Hsieh, Katz, Shelley, Teng, Yaki - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[In Home Supportive Services]
Resolution requesting the Department of Human Services seek in the future to have increases in state or federal In Home Supportive Services Funds apply to increasing the wages and benefits of the IHSS workforce, in an effort to provide wages which exceed the minimum wage level by at least the current differential without diminishing service. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar November 18, 1996.

File 107-96-007.

[Sexual Assault Task Force]
Resolution urging the Commission on the Status of Women and the Youth Commission to create a task force on sexual assault specific to the needs of girls and young women to provide recommendations to the Board of Supervisors and the Mayor. Supervisors Alioto, Ammiano, Katz, Bierman, Teng, Leal, Kaufman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar November 18, 1996.

File 174-96-005.

Requests for Hearings:

[Video Display Terminal Advisory Committee]
Hearing to consider the Video Display Terminal Advisory Committee's annual report for 1995. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 274-96-001.

[Ethics Commission]
Hearing to consider the activities of the Ethics Commission in carrying out its charter mandate to promote and protect the integrity of our electoral process. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 275-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 032-96-1.04. [Cable Television Franchise Amendments] Substitute ordinance amending Ordinance Number 105-64, as amended by Ordinances No. 528-88, 315-89, 375-90 and 42-91, by amending all sections, including deleting Section 19 and Appendices 1 through 9, renumbering Sections 20 through 24 and adding new Sections 24, 25, 26, 27, 28, 29, 30, 31, and 32 and Appendices A through H, to clarify and expand the obligations of the grantee, Television Signal Corporation. (City Attorney) Referred to Rules Committee.

File 045-96-096. [Caroline Jurovic v. CCSF/Nelson Lee, et al.] Ordinance authorizing settlement of litigation of Caroline Jurovic against the City and County of San Francisco and Nelson Lee by payment of $13,000. (Municipal Court Case No. 120-470). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-96-032. [Amendment to MOU, Municipal Attorneys' Association] Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between the Municipal Attorneys' Association and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective December 28, 1996 following approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-96-060. [Agricultural and Pesticide-Related Activities] Ordinance amending Administrative Code Section 1.13-3 to authorize the President of the Board of Supervisors to execute all contracts on behalf of the City and County of San Francisco with respect to the performance of all agricultural and/or pesticide-related activities by or under the jurisdiction of the San Francisco County Agricultural Commissioner. (Department of Agriculture and Weights and Measures) Referred to Government Efficiency/Labor Committee.

File 101-96-020. [Appropriation] Ordinance rescinding $800,000 from a Convention Facilities Fund capital project and re-appropriating the funds to the Mayor's Office of Community Development for the acquisition and renovation of the Chinese Historical Society Building for fiscal year 1996-97. RO #96136. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 030-96-024. [CHIP Program Funds for Fiscal Year 1996-97] Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) Funds for fiscal year 1996-97 and that the Chairperson or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP Funds for fiscal year 1996-97. (Department of Public Health) Referred to Budget Committee with request it be considered at the November 20, 1996 meeting.

File 032-96-001.08. [Side-Letter Agreement] Resolution approving two side-letter agreements by and between Television Signal Corporation and the City and County through their respective counsel regarding certain agreements between the parties in connection with the transfer of control of Television Signal Corporation from Viacom Inc. to Tele-Communications, Inc. (City Attorney). Referred to Rules Committee.

File 048-96-054. [Settlement of Claim, Adelaida Brown] Resolution approving the settlement of unlitigated claim of Adelaida Brown by payment of $9,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 089-96-011. [SDI Coverage, Classification 1282] Resolution authorizing enrollment of classification 1282 Principal Employee Relations Representative into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 146-96-025. [Federal Grant, HIV Prevention Evaluation Project] Resolution authorizing the Department of Public Health, AIDS Office, to apply for retroactively and accept and expend a grant of $125,261, which includes indirect costs in the amount of $14,405, based on twenty percent of salaries, from the Centers for Disease Control for the HIV Prevention Evaluation Project; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-96-038. [Agreement, Sheriff CPR Training] Resolution authorizing the San Francisco Sheriff's Department to enter into an agreement with Mr. Ben Dorcy for mandatory certified CPR training which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Office of the Sheriff) Referred to Government Efficiency/Labor Committee.

File 172-96-039. [Shared Medical Systems Contract Amendment] Resolution authorizing the Director of Public Health and the Purchaser to execute an amendment to the contract between the City and County of San Francisco and Shared Medical Systems Corporation dated August 31, 1994. (Also see Files 172-94-32 and 172-94-32.1). (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 269-96-001. [Grant - Integrated Pest Management] Resolution authorizing the Agricultural Commissioner of the City and County of San Francisco to apply for, accept and expend up to $75,000 in Environmental Protection Agency ("EPA") pest management grant funding from the EPA through the California Department of Pesticide Regulation ("DPR") and EPA to perform education and outreach with respect to the City's Integrated Management Program and to fund indirect costs associated with those activities. (Department of Agriculture and Weights and Measures) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney review and prepare ordinance to merge Lots 12 and 13 back into Lot 6 in Assessor's Block 208, which are located next to 98 Mendosa Avenue.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Art Torres (By the entire Board)

File 2-96-45

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:21 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 21, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, November 18, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 91 Number 46

BOARD OF SUPERVISORS

Monday, November 18, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Noted absent at first roll call:

Supervisors Hsieh, Katz, Leal, Yaki - 4.

Quorum present.

Supervisor Hsieh excused. (See infra.)

Supervisor Katz excused. (See infra.)

Supervisor Leal excused. (See infra.)

Supervisor Yaki excused. (See infra.)

Supervisors Hsieh, Katz, Leal, Yaki Excused

The Clerk stated Supervisors Hsieh, Katz, Leal, Yaki requested to be excused from attending today's meeting.

Supervisor Kaufman, seconded by Supervisor Teng, moved to excuse Supervisors Hsieh, Katz, Leal, and Yaki from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Ammiano, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, October 7, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

COMMUNICATION

The Clerk presented the following communication from President Shelley;

November 18, 1996

John L. Taylor
Clerk of the Board
Board of Supervisors
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

Subject: Resignation

Monday, November 18, 1996

Dear Mr. Taylor:

I hereby resign from the office of member of the Board of Supervisors of the City and County of San Francisco effective on my swearing in and taking office as a member of the State Legislature which I anticipate happening at noon on Monday, December 2, 1996.

I also hereby resign from my position as Commissioner of the San Francisco County Transportation Authority.

This resignation is sent to you in accordance with the provisions of California Government Code Section 1750.

I have enjoyed working with my colleagues on the board and with you and your staff. I am sure we will continue to work together when I am in my new position.

Sincerely

Kevin Shelley
President

Presentation of Guests
Suspension of the Rules

Supervisor Alioto, seconded by Supervisor Ammiano, moved to suspend the rules to grant privilege of the floor to the following persons in connection with the 1996 Outstanding Youth Awards sponsored by the Delinquency Prevention Commission:

Susie Bailey, Executive Director; Peter L. Rocha, Director of Operations; Commissioners James L. Howard, Enola Maxwell, Dante Higgins and Brian Henning.

Winners of the 1996 Outstanding Youth Awards who appeared and spoke were: Yana Natanzon, Kent Khounsombath and Jani Littlejohn.

The other winners are: Eden Abdul, Karima Baptiste, Ben Kiliona, CheReese Hargraves, Jason Patterson, Cesar Escobar and Valentina Sedena.

Winner of the 1996 Outstanding Youth Service Agency is Infusion One (Gaylon Logan, Executive Director).

CONSENT CALENDAR

Recommendation of Budget Committee

Adopted

[1997 Emergency Shelter Grants Program]
Resolution approving the 1997 Emergency Shelter Grants Program expenditure schedule and authorizing the Mayor on behalf of the City and County to apply for, accept and expend a $684,000 entitlement under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development. (Supervisor Hsieh)

File 68-96-6, Resolution No. 1044-96

Adopted.

Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Tobacco Products]
Ordinance amending Police Code, to prohibit self-service merchandising of tobacco products except in places to which minors have no access. (Supervisors Alioto, Bierman, Yaki, Ammiano, Katz, Teng, Brown, Leal)

File 121-95-8, Ordinance No. 446-96

(Adds Article 46, Sections 4600 through 4600.8.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Regulation of Campaign Consultants]
Ordinance amending Administrative Code by adding Sections 16.540 through 16.547 to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders, and certain former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. (Supervisors Ammiano, Bierman)

File 97-96-13, Ordinance No.

(October 21, 1996 - Finally Passed.)
November 1, 1996 - Returned to Board by Mayor, disapproved.)

(November 12, 1996 - Consideration continued to November 18, 1996.)

Supervisor Ammiano, seconded by Supervisor Teng, moved to continue consideration to November 25, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

From Department of Public Works

Finally Passed

[Appointment, Road Commissioner]
Ordinance appointing Mark Primeau, Director of Public Works, Road Commissioner for the City and County, and repealing Ordinance No. 155-93.

File 92-96-56, Ordinance No. 447-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[San Francisco General Hospital Trust Fund]
Ordinance amending the Administrative Code, to establish in the treasury of the City and County, a Special Fund, to be known and designated as the San Francisco General Hospital Trust Fund. (Department of Public Health)

File 97-96-59, Ordinance No.

(Adds Section 10.117-112.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

Adopted

[HOME Program]
Resolution authorizing the Mayor to apply for, accept and expend a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed $6,241,000 for the HOME Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625 and approving the HOME Program description as described in the 1997 Action Plan for San Francisco's Consolidated Plan; indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant funds; placing $474,100 on reserve. (Supervisors Hsieh, Teng)

File 68-96-7, Resolution No. 1046-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Lease of Real Property]
Resolution authorizing the City, as tenant, to enter into a lease with the San Francisco Unified School District, as landlord, for the lease of a portion of the San Francisco Community School play yard (bounded by Paris, London and Excelsior Streets) for the construction and operation of a youth center, which lease includes an option for the City to purchase the leased property and indemnities given by the City. (Supervisors Shelley, Bierman, Hsieh, Kaufman)

File 64-96-14, Resolution No. 1039-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

[Option to Acquire Property]
Resolution authorizing the Director of Property to enter into an option agreement for the purchase of real property located at 349-65 Seventh Street and 45 Cleveland Street (adjacent to Bessie Carmichael School) and the payment of a non-refundable deposit of up to four hundred eighty-four thousand five hundred dollars ($484,500). (Supervisors Hsieh, Kaufman, Bierman)

File 84-96-3, Resolution No. 1038-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

[Lease and Interdepartmental Transfer]
Resolution recognizing the validity of the existing ground lease for the property located at Seventh Avenue and Warren Drive from the City and County to the San Francisco Unified School District ("District"), removing from that lease the restriction providing that the lease shall terminate if the District fails to obtain bids for the construction of a school on that property by July 1, 1995, and authorizing a transfer of said property to the District. (Supervisors Hsieh, Kaufman, Bierman)

File 199-96-4, Resolution No. 1041-96

(Exempt from environmental review under the California Environmental Quality Act.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

[Quitclaim Deed, Excelsior Youth Center]
Resolution authorizing and directing execution of a Quitclaim Deed from the City and County to the San Francisco Unified School District, a political subdivision of the State of California, for the San Francisco Community School site, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Shelley, Bierman, Hsieh, Kaufman)

File 203-96-1, Resolution No. 1042-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

Recommendation of Health, Public Safety and Environment Committee

Consideration Continued

[Substance Abuse Treatment on Demand]
Resolution endorsing the goal of substance abuse treatment on demand for indigent San Franciscans and urging the Mayor, the Health Commission and the Director of Public Health to provide full funding in the City and County's fiscal 1997/98 budget for substance abuse treatment on demand. (Supervisors Leal, Alioto, Ammiano, Bierman, Yaki, Teng)

File 30-96-20, Resolution No.

Supervisor Alioto, seconded by Supervisor Teng, moved to continue consideration to November 25, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

COMMITTEE REPORTS

From Government Efficiency and Labor Committee
Without Recommendation

Consideration Continued

[Leasing of Property on Treasure Island]
Ordinance authorizing the Mayor, or the Mayor's designee, to enter into leases and other agreements with the Navy of property on Naval Station Treasure Island and in turn subleases and other agreements with third-parties of such property without "competitive bidding", and ratifying certain prior acts. (Mayor)

File 64-96-16, Ordinance No.

Supervisor Alioto, seconded by Supervisor Ammiano, moved to continue consideration to November 25, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

[Assignment/Assumption of Leases, Treasure Island]
Resolution approving an agreement between the City and County and the Redevelopment Agency regarding the assignment and assumption of certain leases, subleases, a license, and a sublicense relating to Naval Station Treasure Island. (Mayor)

File 64-96-16.1, Resolution No.

Supervisor Alioto, seconded by Supervisor Ammiano, moved to continue consideration to November 25, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

[CEQA Findings for BART/SFIA]
Resolution adopting findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and the State CEQA guidelines in connection with approval of the BART/SFIA agreement for the BART-SFO Airport Extension Project and providing for a contribution of up to $200 million. (Supervisors Shelley, Alioto)

File 27-96-13, Resolution No.

Supervisor Alioto, seconded by Supervisor Ammiano, moved to continue consideration to November 25, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[BART-SFIA Agreement]
Resolution approving the BART/SFIA agreement through its Airport Commission for the BART-San Francisco Airport Extension Project and providing for a contribution of up to $200 million. (Supervisors Shelley, Alioto)

File 27-96-13.1, Resolution No.

Supervisor Alioto, seconded by Supervisor Ammiano, moved to continue consideration to November 25, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Karen Shearer, in home supportive services;
Leboriae P. Smoore, police brutality, constitution for poor people;
Al Rose, disabled community medical treatment;
Enola Maxwell, youth issues;
Cynthia, abortion rights.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Commend Kevin Shelley]
Resolution commending the Honorable Kevin Shelley for his distinguished service on the Board of Supervisors. (Clerk of the Board, Kaufman)

File 6-96-179, Resolution No. 976-96

(November 13, 1996 - Referred to Board for Adoption Without Committee Reference Calendar November 18, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

Presentation of Plaque

On behalf of the Board of Supervisors, Supervisor Alioto presented Supervisor Shelley with a plaque in appreciation of his leadership as President of the Board of Supervisors from January 8, 1995 to noon, December 2, 1996.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[In Home Supportive Services]
Resolution requesting the Department of Human Services seek in the future to have increases in state or federal In Home Supportive Services Funds apply to increasing the wages and benefits of the IHSS workforce, in an effort to provide wages which exceed the minimum wage level by at least the current differential without diminishing service. (Supervisors Shelley, Bierman)

File 107-96-7, Resolution No. 1046-96

(November 12, 1996 - Introduced in Board for consideration on November 18, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Sexual Assault Task Force]
Resolution urging the Commission on the Status of Women and the Youth Commission to create a task force on sexual assault specific to the needs of girls and young women to provide recommendations to the Board of Supervisors and the Mayor. (Supervisors Alioto, Ammiano, Katz, Bierman, Teng, Leal, Kaufman, Shelley)

File 174-96-5, Resolution No. 1047-96

(November 12, 1996 - Introduced in Board for consideration on November 18, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Shelley, Teng - 7.

Absent: Supervisors Hsieh, Katz, Leal, Yaki - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[City Contracts Benefits Non-discrimination]
Substitute ordinance amending Administrative Code Sections 12B.1, 12B.2, 12C.1 and 12C.2 to make certain clarifying amendments and by adding Sections 12B.5-1 and 12C.5-1 to provide exceptions to the domestic partners benefits contracting requirements, and provide for suspension of the domestic partners benefits ordinance until June 1, 1997. Supervisors Ammiano, Katz, Leal, Alioto, Teng, Brown, Hsieh, Kaufman presented. Referred to Government Efficiency/Labor Committee with request it be considered at the November 26, 1996 meeting.

File 097-96-033.01.

[Garment Manufacturers' Tax Credit]
Substitute ordinance amending Part III of the Municipal Code by adding Sections 906C and 1005.7 thereto to grant a tax credit, not to exceed $30,000, against the payroll expense tax and the business tax on gross receipts, to garment manufacturers with gross receipts of not more than $5 million that invest in technical equipment, work reorganization, or employee training, as specified, operative January 1, 1997, and expiring December 31, 2001. Supervisors Teng, Bierman presented. Referred to Government Efficiency/Labor Committee with request it be considered at the November 26, 1996 meeting.

File 127-96-004.

Referred to Board

[Commend Rikki Streicher]
Resolution commending community leader and businesswoman Rikki Streicher on the occasion of the naming of the Rikki Streicher Athletic Field and proclaiming December 15, 1996 "Rikki Streicher Day" in San Francisco. Supervisors Leal, Ammiano, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar November 25, 1996.

File 006-96-180.

[Commend Angel Island Immigration Station Foundation]
Resolution commending the Angel Island Immigration Station Foundation. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar November 25, 1996.

File 006-96-181.

[Commend Rebecca Kohlstrand]
Resolution commending Rebecca Kohlstrand for years of service to the City and County of San Francisco. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar November 25, 1996.

File 006-96-182.

Referred to Committee

[Street Name Change]
Resolution requesting the Department of Public Works initiate procedures to rename Lapidge Street as "Nolan Alley" in honor of Paddy Nolan. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 075-96-002.

[Grant - Federal Funds]
Resolution authorizing the Mayor of the City and County to apply for, accept and expend a grant in the amount of $150,000 from the U.S. Department of Housing and Urban Development to coordinate and integrate youth crime prevention efforts already under way in San Francisco enterprise community neighborhoods; indirect costs associated with the acceptance of the grant will be provided from the Community Development Block Grant program. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee with request it be considered at the November 26, 1996 meeting.

File 068-96-008.

[Homeless Showers]
Hearing to discuss and see models of showers for the homeless. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 083-96-003.

[Fire Code Enforcement Investigation]
Hearing to consider the Fire Department's procedures relating to code enforcement investigations and the issue of selective investigation against certain businesses. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee.

File 208-96-001.

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar November 25, 1996.

File 030-96-001.23.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-96-014. [Airport Lease Modification, Continental Airlines] Ordinance approving Modification No. 4 of Lease and Use Agreement between Continental Airlines, Inc. and City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) Referred to Government Efficiency/Labor Committee.

File 045-96-097. [Reine Avila v. CCSF] Ordinance authorizing settlement of litigation of Reine Avila against the City and County of San Francisco by payment of $8,500 plus waiver of San Francisco General Hospital lien of $8,460. (U.S. District Court No. C-96-0455 CW). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 047-96-012. [Management Agreement, St. Mary's Square Garage] Ordinance approving form of the St. Mary's Square Garage and 16th & Hoff Garage management agreement and bid documents, and authorizing and urging the Director of Property to advertise an invitation for bids for management of the St. Mary's Square Garage and the 16th & Hoff Garage using the approved bid documents. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 101-96-021. [Appropriation, Trial Courts] Ordinance appropriating $1,066,500, Trial Courts, from the Court's Special Revenue Fund, for computer maintenance and professional services contracts to complete court automation projects in fiscal year 1996-97. RO #96143. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 048-96-055. [Settlement of Claim, Aetna Casualty & Surety Co.] Resolution approving the settlement of the unlitigated claim of Aetna Casualty and Surety Company by payment of $5,961.81. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-056. [Settlement of Claim, Stanislav Mirzoyen] Resolution approving the settlement of the unlitigated claim of Stanislav Mirzoyen by payment of $8,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-057. [Settlement of Claim, Ronald Salkin] Resolution approving the settlement of the unlitigated claim of Ronald Salkin by payment of $18,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-058. [Settlement of Claim, Clarence Shaw] Resolution approving the settlement of the unlitigated claim of Clarence Shaw by payment of $20,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 068-95-010.01. [Grant, Neighborhood Action for Youth Development] Resolution amending Resolution No. 1011-95 authorizing retroactively the Mayor to apply for, accept and expend $500,000 from the United States Department of Health and Human Services (HHS) to administer the San Francisco Neighborhood Action for Youth Development Demonstration Project, increasing the amount of funds placed on reserve for target neighborhoods to $337,500 and decreasing the amount of funds placed on reserve for consultant services $80,000, and approving the release of funds in the amount of $417,500 that were placed on reserve by Resolution No. 1011-95. (Mayor's Office of Children, Youth, & Their Families) Referred to Government Efficiency/Labor Committee.

File 138-96-013. [Grant, Statutory Rape Vertical Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend grant funds in the amount of $150,000 including indirect cost of $6,676 made available through the California Office of Criminal Justice Planning for the continued operation of the "Statutory Rape Vertical Prosecution Program" for the ten month period September 1, 1996 through June 30, 1997. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 172-96-029.02. [CCSF-IBM Hardware/Software Maintenance Contract] Resolution approving the limitation of liability in agreements for software and hardware maintenance with International Business Machines Corporation. (See Files 172-96-29 and 172-96-29.1. (Controller) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to the United States Customs Service requesting investigation and report of recent occurrence at the San Francisco Airport in which custom services were not available to passengers of an incoming flight from Costa Rica until several hours later causing passengers to remain on the plane all night and what steps will be taken to prevent this from occurring again.

By Supervisor Ammiano, that letter of inquiry be sent to the Fire Chief requesting report on the question of selective enforcement and misconduct by department staff during an inspection of a club at 74 Otis Street. File 208-96-1.

By Supervisor Alioto, that City Attorney draft appropriate legislation urging the Public Utilities Commission to provide for public power at Treasure Island and Bayview Hunters Point Naval Shipyard.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Faye Lacey (By the entire Board)
Paddy Nolan (By the entire Board)
Anita Valdez (Supervisor Alioto)
Dennis Natali (Supervisor Bierman)
Ronald Hatter (Supervisor Bierman)

File 2-96-46

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:38 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 21, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor

Monday, November 25, 1996

/96

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, November 25, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Kevin Shelley, the meeting was called to order at 2:03 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Yaki - 7.

Noted absent at first roll call:

Supervisors Alioto, Katz, Shelley, Teng - 4.

Quorum present.

Supervisor Alioto was noted present at 2:05 p.m.

Supervisor Teng was noted present at 2:06 p.m.

Supervisor Katz excused. (See infra.)

Supervisor Shelley excused. (See infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Hsieh, seconded by Supervisor Bierman, moved that Supervisor Ammiano be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Yaki - 8.

Absent: Supervisors Katz, Shelley, Teng - 3.

Supervisors Katz and Shelley Excused

The Clerk stated Supervisors Katz and Shelley requested to be excused from attending today's meeting.

Thereupon, Supervisor Yaki, seconded by Supervisor Kaufman, moved to excuse Supervisors Katz and Shelley.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[San Francisco General Hospital Trust Fund]
Ordinance amending the Administrative Code, to establish in the treasury of the City and County, a Special Fund, to be known and designated as the San Francisco General Hospital Trust Fund. (Department of Public Health)

File 97-96-59, Ordinance No. 448-96

(Adds Section 10.117-112.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Golbarg Fahid/Vega/Hawks, v. CCSF et al.]
Ordinance authorizing settlement of litigation of Goldbarg Fahid/Andre Vega and Dawn Hawks against the City and County by payment of $30,000. (City Attorney)

File 45-96-83.1, Ordinance No.

(U.S. District Court No. C94-3523.)

Passed for second reading.

[Cammarata et al., v CCSF et al.]
Ordinance authorizing settlement of litigation of Barbara Cammarata against the City and County by payment of $65,000. (City Attorney)

File 45-96-84, Ordinance No.

(Superior Court No. 977-779.)

Passed for second reading.

[Jessie David Wall v. CCSF et al.]
Ordinance authorizing settlement of litigation of Jessie David Wall against the City and County by payment of $7,500. (City Attorney)

File 45-96-85, Ordinance No.

(Superior Court No. 973-216.)

Passed for second reading.

[Evelyn Dusovsky v. CCSF et al.]
Ordinance authorizing settlement of litigation of Evelyn Dusovsky against the City and County by payment of $7,500. (City Attorney)

File 45-96-86, Ordinance No.

(Superior Court No. 966-955.)

Passed for second reading.

[Florence Basuino v. CCSF et al.]
Ordinance authorizing settlement of litigation of Florence Basuino against the City and County by payment of $235,000. (City Attorney).

File 45-96-87, Ordinance No.

(Superior Court No. 961-562.)

Passed for second reading.

[John Dilatush et al. v. CCSF et al.]
Ordinance authorizing settlement of litigation of John and Patricia Dilatush against the City and County by payment of $20,000. (City Attorney)

File 45-96-88, Ordinance No.

(Superior Court No. 963-918.)

Passed for second reading.

[Hernandez/Ruanto v. CCSF et al.]
Ordinance authorizing settlement of litigation of Raly James Hernandez, Ederlinda Hernandez, Christina Ruanto against the City and County by payment of $17,500. (City Attorney)

File 45-96-89, Ordinance No.

(Municipal Court No. 119-035.)

Passed for second reading.

[Araya v. CCSF]
Ordinance authorizing settlement of litigation of Araya against the City and County with no payment of money by San Francisco and with San Francisco's agreement that the settlement is without prejudice to any party (beside plaintiff) bringing a later claim arising out of the new Main Library construction project. (City Attorney)

File 45-96-90, Ordinance No.

(Superior Court No. 973-697.)

Passed for second reading.

[Bernard Ogbuagu v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Bernard Ogbuagu against the City and County by payment of $9,500. (City Attorney)

File 45-96-91, Ordinance No.

(Superior Court No. 956-124.)

Passed for second reading.

[Jones/Shkrabuik v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Peter M. Jones and Patricia Shkrabuik against the City and County by payment of $3,260,000. (City Attorney)

File 45-96-92, Ordinance No.

(Superior Court No. 974-206.)

Passed for second reading.

[Eliza Gomez v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Eliza Gomez against the City and County by payment of $7,500. (City Attorney)

File 45-96-93, Ordinance No.

(Municipal Court No. 073-130.)

Passed for second reading.

[Jung S. Rand v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Jung S. Rand against the City and County by payment of $43,000. (City Attorney)

File 45-96-94, Ordinance No.

(Superior Court No. 969-127).

Passed for second reading.

[Thomas Garcia v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Thomas Garcia against the City and County by payment of $30,000. (City Attorney)

File 45-96-95, Ordinance No.

(Superior Court No. 962-708.)

Passed for second reading.

Adopted

[Settlement of Claim, Ricardo Hernandez]
Resolution approving the settlement of the unlitigated claim of Ricardo Hernandez by payment of $165,217.00. (City Attorney)

File 48-96-45, Resolution No. 1064-97

Adopted.

[Settlement of Claim, Enrique and Juana Aldaz]
Resolution approving the settlement of the unlitigated claim of Enrique and Juana Aldaz by payment of $14,132.82. (City Attorney)

File 48-96-46, Resolution No. 1065-97

Adopted.

[Settlement of Claim, Paul Franklin]
Resolution approving the settlement of the unlitigated claim of Paul Franklin by payment of $7,000.00. (City Attorney)

File 48-96-47, Resolution No. 1066-96

Adopted.

[Settlement of Claim, Rick Knight]
Resolution approving the settlement of the unlitigated claim of Rick Knight by payment of $7,894.17. (City Attorney)

File 48-96-48, Resolution No. 1067-97

Adopted.

[Settlement of Claim, Consejo Varquez]
Resolution approving the settlement of the unlitigated claim of Consejo Varquez by payment of $13,300.00. (City Attorney)

File 48-96-49, Resolution No. 1068-96

Adopted.

[Settlement of Claim, Joseph Lee]
Resolution approving the settlement of the unlitigated claim of Joseph Lee by payment of $13,000.00. (City Attorney)

File 48-96-50, Resolution No. 1069-96

Adopted.

[Settlement of Claim, Stonestown Apartments]
Resolution approving the settlement of the unlitigated claim of Stonestown Apartments by payment of $6,946.00. (City Attorney)

File 48-96-51, Resolution No. 1070-96

Adopted.

[Settlement of Claim, Carl Craig]
Resolution approving the settlement of the unlitigated claim of Carl Craig by payment of $13,000.00. (City Attorney)

File 48-96-52, Resolution No. 1071-96

Adopted.

[Settlement of Claim, CSAA Insurance]
Resolution approving the settlement of the unlitigated claim of California State Automobile Association (CSAA) (Insured, Sherry Gu) by payment of $5,807.75. (City Attorney)

File 48-96-53, Resolution No. 1072-96

Adopted.

[State Grant, Spousal Abuser Prosecution Program]
Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds not to exceed $132,000.00 with no indirect cost available through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the twelve month period July 1, 1996 through June 30, 1997. (Supervisors Shelley, Leal, Alioto)

File 138-96-12, Resolution No. 1080-96

Adopted.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[State Grant, Anti-Drug Abuse Enforcement Program]
Resolution authorizing the Chief of Police to retroactively apply for, accept and expend funds in the amount of One Hundred Fifty One Thousand Five Hundred Ninety Four Dollars ($151,594.00) which includes indirect costs of Seven Thousand Five Hundred Eighty Dollars ($7,580.00) based upon five percent of the total grant award, and One Thousand Five Hundred Dollars ($1,500.00) for audit costs, for continual funding for a project entitled "Anti-Drug Abuse Enforcement Program", and rescinding Resolution No. 653-96. (Supervisors Alioto, Leal)

File 143-96-2.1, Resolution No. 1081-96

Adopted.

[Grant, Civilian Personnel Component Program]
Resolution authorizing the Chief of Police, to retroactively apply for, accept and expend funds in the amount of Three Hundred Nine Thousand One Hundred Seventy Nine Dollars ($309,179), excluding indirect costs not allowed under this program, for a project known as the, "Civilian Personnel Component" from the United States Department of Justice's Office of Community Oriented Policing Services-Making Officer Redeployment Effective Program (COPS-MORE), and agreeing to provide a match in the amount of One Hundred Eight Thousand Two Hundred Seventy Seven Dollars ($108,277). (Supervisor Shelley)

File 143-96-8, Resolution No. 1083-96

Adopted.

[State Grant, Family Violence Prevention Project]
Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for retroactively a grant of $250,000 from the California Department of Social Services for collaborative

efforts to provide alternatives to violence in the community; providing for ratification of action previously taken; waiving indirect costs. (Supervisors Alioto, Shelley, Leal, Kaufman)

File 146-96-24, Resolution No. 1084-96

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-96-17, Resolution No. 1052-96

(Stop Signs - Establish
Twenty-Third Avenue and Irving Street, northeast and southwest corners, stopping Irving Street traffic (makes this an all-way stop).

Bowdoin and Woolsey Streets, northeast and southwest corners, stopping Woolsey Street traffic (makes this an all-way stop).

Craut and Maynard Streets, northeast and southwest corners, stopping Maynard Street traffic (makes this an all-way stop).

Eucalyptus and Everglade Drives, northwest and southeast corners, stopping Everglade Drive traffic (makes this an all-way stop).)

Adopted.

[Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-96-14, Resolution No. 1053-96

(No Parking Anytime - Rescind
Tow-Away, No Parking Anytime - Establish

Larkin Street, along the north terminus, north of Chestnut Street (27-foot zone, at dead-end portion of the 2700 block).

Larkin Street, east side of upper portion, north of Chestnut Street (125-foot zone, along the retaining wall on the 2700 block).

Tow-Away, No Parking Anytime - Establish
Bluxome Street, south side, from 13 feet to 25 feet east of the west property line of #340 Townsend Street (12-foot zone).

Perpendicular (90-Degree Angle) Parking - Establish
Broadway, north side, between Leavenworth and Jones Streets.

Broadway, north side, from Leavenworth Street to 140 feet westerly (140-foot zone).

Broadway, south side, from Leavenworth Street to 57 feet westerly (57-foot zone).

30-Minute Parking Time Limit, 8 AM - 6 PM, Monday through Saturday - Establish
Irwin Street, north side, from Seventh Street to 135 feet westerly (135-foot zone).)

Adopted.

[Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-18, Resolution No. 1054-96

(Bicycle Lanes - Establish
Seventh Avenue, west side (southbound), from 160 feet south of Lawton Street to 200 feet north of Clarendon Avenue.

Laguna Honda Boulevard, east side (northbound), from 300 feet south of Clarendon Avenue to 510 feet south of Noriega Street.

One-Way Street - Rescind
Willow Street, eastbound, between Polk and Larkin Streets.

One-Way Street - Establish
Willow Street, westbound, between Polk and Larkin Streets.

Multiple Right Turn Lane - Rescind
First Street, southbound at Howard Street.

Tow-Away Lane Must Turn Left - Establish

Howard Street, westbound, at Sixth Street.

Tow-Away, No Stopping, 4 PM - 6 PM, Monday through Friday - Establish
Howard Street, south side, from Sixth Street to 100 feet easterly (100-foot zone, to accommodate a left turn lane during specified hours).)

Adopted.

[Residential Parking Area "J", Sunset/Parnassus]
Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding Cole Street, between Parnassus Avenue and Grattan Street, both sides; Cole Street, between Beulah and Carl Streets, both sides; and Carl Street, between Cole and Shrader Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-23, Resolution No. 1057-96

Adopted.

[Residential Parking Area "W", SFGH Area]
Resolution extending the boundaries of Residential Permit Parking Area "W" in the San Francisco General Hospital Area and adding Florida Street, between Twenty-Fifth and Twenty-Sixth Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-24, Resolution No. 1058-96

Adopted.

[Residential Parking Area "S", Duboce Triangle]
Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Castro Street, between Twentieth and Liberty Streets, both sides; Liberty Street, between Castro and Noe Streets, both sides; and Noe Street, between Twentieth and Liberty Streets, west side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-25, Resolution No. 1059-96

Adopted.

[Residential Parking Area "O", West Portal/St. Francis]
Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood Area and adding San Benito Way, between St. Francis Boulevard and Monterey Boulevard, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-27, Resolution No. 1060-96

Adopted.

[Residential Parking Area "A", Telegraph Hill/North Beach]
Resolution extending the boundaries of Residential Permit Parking Area "A" in the Telegraph Hill/North Beach Area to include Block 24, Lot 22 (1323 Columbus Avenue). (Department of Parking and Traffic)

File 40-96-28, Resolution No. 1061-96

Adopted.

[Residential Parking Area "S", Duboce Triangle]
Resolution extending the boundaries of Residential Permit Parking Area "S", in the Duboce Triangle Area and adding Lily Street, between Laguna and Buchanan Streets, south side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-29, Resolution No. 1062-96

Adopted.

[Residential Parking Area "U", South of Market]
Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding Harriet Street, between Folsom and Howard Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-30, Resolution No. 1063-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Appointment of President Pro Tempore

At the request of President Ammiano, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Consideration of Mayor's Disapproval

Mayor's Disapproval Sustained

[Regulation of Campaign Consultants]
Ordinance amending Administrative Code by adding Sections 16.540 through 16.547 to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders, and certain former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. (Supervisors Ammiano, Bierman)

File 97-96-13, Ordinance No.

(October 21, 1996 - Finally Passed.)
November 1, 1996 - Returned to Board by Mayor, disapproved.)
(November 18, 1996 - Consideration continued to November 25, 1996.)

The roll was called on the question of passage notwithstanding the Mayor's veto and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman - 3.

Noes: Supervisors Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 6.

Absent: Supervisors Katz, Shelley - 2.

The President resumed the Chair.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Substance Abuse Treatment on Demand]
Resolution endorsing the goal of substance abuse treatment on demand for indigent San Franciscans and urging the Mayor, the Health Commission and the Director of Public Health to provide full funding in the City and County's fiscal 1997/98 budget for substance abuse treatment on demand. (Supervisors Leal, Alioto, Ammiano, Bierman, Yaki, Teng, Brown)

File 30-96-20, Resolution No. 1055-96

(November 18, 1996 - Consideration continued to November 25, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

From Government Efficiency and Labor Committee
Without Recommendation

Consideration Continued

[Leasing of Property on Treasure Island]
Ordinance authorizing the Mayor, or the Mayor's designee, to enter into leases and other agreements with the Navy of property on Naval Station Treasure Island and in turn subleases and other agreements with third-parties of such property without "competitive bidding", and ratifying certain prior acts. (Mayor)

File 64-96-16, Ordinance No.

(November 18, 1996 - Consideration continued to November 25, 1996.)

Supervisor Kaufman, seconded by Supervisor Alioto, moved to continue consideration to December 9, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Assignment/Assumption of Leases, Treasure Island]
Resolution approving an agreement between the City and County and the Redevelopment Agency regarding the assignment and assumption of certain leases, subleases, a license, and a sublicense relating to Naval Station Treasure Island. (Mayor)

File 64-96-16.1, Resolution No.

(November 18, 1996 - Consideration continued to November 25, 1996.)

Supervisor Kaufman, seconded by Supervisor Alioto, moved to continue consideration to December 9, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

Adopted

[CEQA Findings for BART/SFIA]
Resolution adopting findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and the State CEQA guidelines in connection with approval of the BART/SFIA agreement for the BART-SFO Airport Extension Project and providing for a contribution of up to $200 million. (Supervisors Shelley, Alioto, Teng)

File 27-96-13, Resolution No. 1095-96

(November 18, 1996 - Consideration continued to November 25, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman - 2.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[BART-SFIA Agreement]
Resolution approving the BART/SFIA agreement through its Airport Commission for the BART-San Francisco Airport Extension Project and providing for a contribution of up to $200 million. (Supervisors Shelley, Alioto, Teng)

File 27-96-13.1, Resolution No. 1096-96

(November 18, 1996 - Consideration continued to November 25, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman - 2.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Airport Commission]
Ordinance appropriating $189,066,455, Airport Commission, from proceeds of Airport Revenue Bonds, Issue 13 to capital improvement projects for infrastructure improvements, interest expenses and professional services for fiscal year 1996-97; placing $152,491,000 on reserve. (Controller)

File 101-96-15, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Appropriation, Department of Public Works]
Ordinance appropriating and rescinding $101,976, Department of Public Works, from Gasoline Tax Fund to a capital project for Mission Street Lighting for fiscal year 1996-97. (Supervisors Leal, Brown)

File 101-96-16, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Appropriation, Department of Public Works]
Ordinance appropriating $165,000, Department of Public Works, of Broadway Parking Lot revenues to cover the costs of the acquisition and disposition of Steuart/Folsom Street parcels and the design and administration of the Mid-Embarcadero Roadway Artwork Project for fiscal year 1996-97. (Controller)

File 101-96-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Appropriation, Port Commission]
Ordinance appropriating $1,579,000, Port Commission, of San Francisco Harbor Operating Funds, for various capital improvement projects (income property improvements at Piers 26 Annex, Pier 1-1/2, Pier 50 Shed A/alternate shed, and Agriculture Building); placing $1,329,000 on reserve. (Supervisor Brown)

File 101-96-19, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisor Brown requested to be added as sponsor.

[Appropriation, Mayor's Office of Community Development]
Ordinance rescinding $800,000 from a Convention Facilities Fund capital project and re-appropriating the funds to the Mayor's Office of Community Development for the acquisition and renovation of the Chinese Historical Society Building for fiscal year 1996-97. (Supervisors Hsieh, Bierman, Kaufman, Alioto, Teng, Ammiano, Yaki, Brown, Leal)

File 101-96-20, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisors Alioto, Teng, Ammiano, Yaki, Brown, Leal requested to be added as co-sponsors.

Adopted

[Chinese Historical Society of America]
Resolution approving and authorizing a deferred loan to the Chinese Historical Society of America for the acquisition of real property at 965 Clay Street and conversion of the property to a national learning center and Chinese History Museum and approving conditions for forgiveness of repayment of the loan; companion measure to File 101-96-20. (Supervisors Hsieh, Alioto, Bierman, Kaufman, Teng, Ammiano, Yaki, Brown, Leal)

File 258-96-1.1, Resolution No. 1043-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisors Teng, Ammiano, Yaki, Brown, Leal requested to be added as co-sponsors.

Passed for Second Reading

[Dog Licenses]
Ordinance amending Health Code, to increase fees for issuance of dog licenses; and relating to reduction fee-special circumstances. (Animal Care and Control Department)

File 118-96-6, Ordinance No.

(Fiscal Impact.)

(Amends Sections 41.15, 41.16.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Real Property Transfer Tax]
Ordinance amending Part III of the Municipal Code, which will exempt from the real property transfer tax conversions of stock cooperatives to condominiums which meet the criteria for exempt conversions set forth in Subdivision Code, Section 1396, and in which 80 percent or more of the cooperative units are financed in whole or in part by the City and County. (Supervisor Hsieh)

File 127-96-9, Ordinance No.

(Fiscal Impact.)

(Adds Section 1108.4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

Adopted

[CHIP Program Funds for Fiscal Year 1996-97]
Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for fiscal year 1996-97 and that the President or duly authorized representative of the Board of Supervisors can certify the County Description of Proposed Expenditure of CHIP funds for fiscal year 1996-97. (Department of Public Health)

File 30-96-24, Resolution No. 1056-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Community Development 1997 Block Grant]
Resolution approving the 1997 Community Development Program; authorizing the Mayor to apply for, receive and expend the City's 1997 Community Development Block Grant (CDBG) entitlement from the U.S. Department of Housing and Urban Development, transfer and expend reprogrammed funds from prior year Community Development programs and program income generated by the San Francisco Redevelopment Agency up to $29,591,922, which include indirect costs of $120,000; approving expenditure schedules as amended November 13, 1996 for recipient departments and agencies and for indirect costs, and determining no environmental evaluation is required; authorizing the receipt and deposit in contingencies of 1997 CDBG entitlement funds in excess of $26,179,000. (Supervisors Hsieh, Teng)

File 79-96-3, Resolution No. 1076-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Sale of Surplus Real Property]
Resolution authorizing the sale of Water Department surplus property (0.73 acre parcel of land), to the City of Millbrae for $1,250,000. (Real Estate Department)

File 96-96-3, Resolution No. 1078-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

Motion approving the Summer Youth Employment Tax Credit Regulations. (Budget Committee)

File 127-96-5.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Amendment to MOU, Local 21]
Ordinance amending Ordinance 221-95 to implement the provisions of an arbitrator's award regarding pay equity adjustments for Classifications 2594 and 2595 Employee Assistance Counselors between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County, to be effective retroactive to July 1, 1993 through June 30, 1997. (Department of Human Resources)

File 93-95-35.5, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[MOU, Local 21 Full Retirement Contribution]
Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between IFPTE Local 21 and the City and County providing that all covered employees be placed into full retirement contribution status effective December 28, 1996 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 93-96-31, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Damages in Contracts for Goods/Services]
Ordinance amending Administrative Code, to provide for approval of waivers of future incidental and consequential damages in contracts for goods and services. (Supervisor Ammiano)

File 97-96-54, Ordinance No.

(Adds Section 21.54.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Court Employee Executive Compensation, FY 1996-97]
Ordinance setting schedules of compensation and other economic benefits for fiscal year 1996-97 for certain classifications of persons employed by the Municipal and Superior Courts for the City and County. (Municipal Court)

File 106-96-4, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Hospital Services Contract]
Ordinance authorizing the Director of Public Health to execute an agreement with Baycare Medical Group for the Department of Public Health to provide hospital services to managed care enrollees, which agreement includes binding arbitration, indemnification, risk sharing, and limited authority for the Director of Health to execute amendments. (Department of Public Health)

File 172-96-36, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

Adopted

[Lease, Water Department/Cisco Systems, Inc.]
Resolution authorizing retroactively, a 40-year lease of Water Department land between the City and County and Cisco Systems, Inc., in Santa Clara County. (Public Utilities Commission)

File 65-96-11, Resolution No. 1073-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Federal Grant, Energy Conservation]
Resolution authorizing the General Manager of the Public Utilities Commission to apply for, accept and expend a grant of $100,000, which includes indirect costs in the amount of $12,460 based on twenty percent of salaries, from the U.S. Department of Energy and the Urban Consortium Energy Task Force; providing for ratification of action previously taken. (Public Utilities Commission)

File 94-96-2, Resolution No. 1077-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Grant, Family Violence Prevention and Services]
Resolution authorizing the Chief of Police to apply for retroactively, accept and expend funds, excluding indirect costs not applicable under this program, in the amount of Thirty Five Thousand Dollars ($35,000.00) for a project known as the "Family Violence Prevention Services-Public Information/Community Awareness Program" and agreeing to provide an in-kind match in the amount of Twelve Thousand Seven Hundred Eleven Dollars ($12,711.00). (Supervisors Shelley, Alioto, Kaufman, Teng, Brown, Kaufman, Teng, Brown)

File 143-96-7, Resolution No. 1082-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisors Kaufman, Teng, Brown requested to be added as co-sponsors.

[Grant, State Local Transportation Partnership Program]
Resolution authorizing retroactively, the Director of Public Works to expend up to $1,038,069 from the State of California for roadway work on City streets in accordance with the State-Local Transportation Partnership Program (7th Cycle) waiving indirect costs; placing $558,218 on reserve. (Department of Public Works)

File 148-96-5, Resolution No. 1085-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Private Industry Council, Inc.]
Resolution designating retroactively, Private Industry Council, Inc. as the agency responsible for the preparation, submittal, and approval of the 1996 Refugee County Plan and for preparing and executing any amendments related to administrative revisions to either or both of the 1994 and 1995 refugee contracts. (Private Industry Council)

File 156-96-2, Resolution No. 1086-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Hold Harmless Agreement]
Resolution authorizing the Port to hold Madrigal-Wan Hai Lines harmless for claims arising out of their use of the Port's Marine Terminal Facilities at Pier 94/96. (Port)

File 172-96-37, Resolution No. 1088-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Changing Width of Sidewalk, Eagle Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1532 changing the official sidewalk width on the south side of Eagle Street between Mono Street and Market Street, as shown on the Department of Public Works drawing labeled Q-20-460, and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

Adopted

[Tobacco Paraphernalia Interim Zoning Controls]
Resolution imposing Interim Zoning Controls to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell tobacco paraphernalia, as defined, in neighborhood commercial individual area districts, as established in Planning Code Section 702.1, in the North of Market Residential Special Use District, as established in Planning Code Section 249.5 and areas adjoining this special use district that are zoned RC-4 (High Density Residential-Commercial Combined) and C-3-G (Downtown General Commercial), as established in Planning Code Sections 206.3 and 210.3 respectively, for an eighteen (18) month period and making a finding of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Bierman, Alioto)

File 111-96-3, Resolution No. 1079-96

(General Rule Exclusion from Environmental Review)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[South Bayshore/Hunters Point Redevelopment]
Resolution approving and adopting procedures in the Articles of Formation for a Redevelopment Project Area Committee for the South Bayshore/Hunters Point Redevelopment Project. (Supervisors Bierman, Brown)

File 71-96-2, Resolution No. 1075-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Redevelopment Project Area]
Resolution establishing procedures for the election of members to Redevelopment Project Area Committees in the City and County. (Supervisors Bierman, Brown)

File 161-96-7, Resolution No. 1087-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Mid-Market Redevelopment Project Area Committee]
Resolution approving and adopting procedures in the Articles of Formation for a Redevelopment Project Area Committee for the Mid-Market Redevelopment Project. (Supervisors Bierman, Brown)

File 291-96-1, Resolution No. 1089-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Street Vacation/Sale - Portion of Alameda Street]
Resolution declaring intention of the Board of Supervisors to vacate portion of Alameda Street between Treat Avenue and Florida Street, and setting December 16, 1996 at 3:00 p.m. as the hearing date for all persons interested in the proposed vacation. (Real Estate Department)

File 164-96-1, Resolution No. 1040-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Liquor License Transfer, 401 Broadway Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises license to Riley O'Callaghan for Crow Bar, from 3490 California Street to 401 Broadway Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-37, Resolution No. 1090-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Liquor License, 1705 O'Farrell Street]
Resolution determining that the issuance of a Type 40 on-sale beer license to Jee Soo Jean for Cafe Dino, located at 1705 O'Farrell Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with condition. (Housing and Land Use Committee)

File 223-96-38, Resolution No. 1091-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Liquor License Transfer, 1669 Fillmore Street]
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage license to Mike Lee (Kyo Yoon Lee) for Fillmore Market located at 1669 Fillmore Street, from a store at 1750 Fillmore Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-39, Resolution No. 1092-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Liquor License, 550 Barneveld Avenue]
Resolution determining that the issuance of a Type 48 on-sale general-public premises license to Steven Chu at 550 Barneveld Avenue, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-41, Resolution No. 1093-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

[Liquor License Transfer, 609 Sutter Street]
Resolution determining the issuance of a Type 42 on-sale beer and wine public premises license to Michael Allen, for The Marines' Memorial Club located at 609 Sutter Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-42, Resolution No. 1094-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Daniel Pieste;
Leboriae P. Smoore, police brutality, constitution for poor, Alice Griffith Project community giveway proposal;
Male speaker, Commission on Status of African-American;
Franklin Carder, Boeddecker Park noise, tobacco, audio pollution;
Cati Okorie, New Bayview Community, Aaron Williams;
Frederick E. Reeves, oppose Burger King and Brewery in Sunset;
Sal Mogannam, oppose Burger King;
Marilyn Jackson, oppose Burger King;
Harold Monkres, oppose Burger King.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Board President]
Motion electing a member of the Board of Supervisors to serve as President of the Board from December 2, 1996, to January 8, 1997. (Clerk of the Board)

File 54-96-10

(November 18, 1996 - Referred to Board for consideration on November 25, 1996.)

Supervisor Leal, seconded by Supervisor Alioto, moved to amend line 13 by inserting "Barbara Kaufman".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Rikki Streicher]
Resolution commending community leader and businesswoman Rikki Streicher on the occasion of the naming of the Rikki Streicher Athletic Field and proclaiming December 15, 1996 "Rikki Streicher Day" in San Francisco. (Supervisors Leal, Ammiano, Katz, Kaufman, Bierman, Teng, Yaki)

File 6-96-180, Resolution No. 1049-96

(November 18, 1996 - Introduced in Board for consideration on November 25, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Bierman, Teng, Yaki requested to be added as co-sponsors.

[Commend Angel Island Immigration Station Foundation]
Resolution commending the Angel Island Immigration Station Foundation. (Supervisors Teng, Kaufman, Bierman, Teng, Yaki, Leal)

File 6-96-181, Resolution No. 1050-96

(November 18, 1996 - Introduced in Board for consideration on November 25, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Bierman, Teng, Yaki, Leal requested to be added as co-sponsors.

[Commend Rebecca Kohlstrand]
Resolution commending Rebecca Kohlstrand for years of service to the City and County. (Supervisors Bierman, Shelley, Kaufman, Teng, Yaki)

File 6-96-182, Resolution No. 1051-96

(November 18, 1996 - Introduced in Board for consideration on November 25, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Teng, Yaki requested to be added as co-sponsors.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.23

(November 18, 1996 - Introduced in Board for consideration on November 25, 1996.)

Adopted.

[Amended Map, 1070-1078 Francisco Street]
Motion approving amended map of 1070-1078 Francisco Street, a Residential Condominium Project, being a subdivision of Lot 5 in Assessor's Block 476, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-37

(November 18, 1996 - Referred to Board for consideration on November 25, 1996.)

Adopted.

[Final Map, 164 Townsend Street]
Motion approving final map of 164 Townsend Street, a Live/Work Condominium Project, being a subdivision of Lot 11A in Assessor's Block 3788, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-38

(November 19, 1996 - Referred to Board for consideration on November 25, 1996.)

Adopted.

[Final Map, 281 Clara Street]
Motion approving final map of 281 Clara Street, a Live/Work Condominium Project, being a subdivision of Lot 151 in Assessor's Block 3753, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 58-96-39

(November 19, 1996 - Referred to Board for consideration on November 25, 1996.)

Adopted.

[Mayor's Earthquake Emergency Relief Fund]
Resolution appropriating Fifty Thousand Dollars ($50,000) to the Mayor's Office of Emergency Services for printing related to response, relief, and recovery from Loma Prieta, including printing of the Emergency Operations Plans for the City and County, at the discretion and approval by the director of that office. (Supervisor Brown)

File 68-96-9, Resolution No. 1074-96

(November 19, 1996 - Referred to Board for consideration on November 25, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisors Katz, Shelley - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Campaign Consultant Regulation]
Ordinance amending Administrative Code by adding Sections 16.540 through 16.547 to require registration of and quarterly reporting by campaign consultants; prohibit campaign consultants from lobbying current clients who are local officeholders and certain former clients who are local officeholders who owe money to the consultant for services provided to help elect the officeholder; and establish a voluntarily code of conduct for campaign consultants. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 097-96-013.02.

[Comprehensive Municipalization Feasibility Study]
Ordinance amending Administrative Code Section 11.8 to require the Public Utilities Commission to prepare a feasibility study regarding municipalization of the electric utilities distribution systems in San Francisco. Supervisor Alioto presented. Referred to Select Committee on Municipal Public Power with a request it be considered at a special meeting on November 27, 1996.

File 097-96-061.

Referred to Board

[Commend Evelyn Gentry Hooker]
Resolution commending the lifetime achievement of the late Dr. Evelyn Gentry Hooker whose pioneering study of the behavior of the homosexual men in the 1940's led to the removal of homosexuality as a psychological disorder from the American Psychiatric Association's Diagnostic and Statistical Manual. Supervisors Leal, Bierman, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar December 9, 1996.

File 006-96-183.

[Extend Planning Commission Review Period]
Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinance to amend the Planning Code with respect to neighborhood commercial district construction application notice. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 9, 1996.

File 115-96-009.01.

[Juana Briones]
Resolution acknowledging Juana Briones as the first woman settler of San Francisco; accepting on behalf of the people of the City and County of San Francisco the State historical marker honoring Juana Briones and directing the Recreation and Park Commission to approve placement of the plaque at its December 19, 1996 meeting and to take all steps necessary to ensure that the plaque is placed in Washington Square Park. Supervisors Leal, Kaufman, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar December 9, 1996.

File 276-96-001.

Requests for Hearings:

[Appointment]
Hearing to consider affirming the appointments of the Board of Supervisors to the Golden Gate Bridge, Highway and Transportation District and to consider the appointments of new directors. Clerk of the Board. Referred to Rules Committee.

File 092-96-064.

[Appointment]
Hearing to consider the appointment of a member of the Board of Supervisors to the Joint Powers Board with San Mateo and Santa Clara counties concerning CalTrain. Clerk of the Board. Referred to Rules Committee.

File 092-96-065.

[Redevelopment Agency]
Hearing to consider the Redevelopment Agency's quarterly financial and performance report for the first quarter of fiscal year 1996-97. Supervisor Hsieh presented. Referred to Budget Committee.

File 161-96-008.

[Burger King, 1325 9th Avenue]
Hearing to consider Planning Department's issuance of a permit to build a Burger King at 1325 9th Avenue. Supervisors Ammiano, Leal, Alioto, Bierman, Shelley presented. Referred to Housing and Land Use Committee.

File 189-96-004.

[Presidio Lawsuit]
Hearing to consider the status of summary judgment in the Presidio lawsuit. Supervisor Alioto presented. Referred to Select Committee on Municipal Public Power.

File 244-95-003.01.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar December 9, 1996.

File 030-96-001.24.

[Legislative Chamber]
Motion designating the Herbst Theater as the legislative chamber of the Board of Supervisors for its inaugural meeting on Wednesday, January 8, 1997. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar December 9, 1996.

File 054-96-011.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 009-96-003. [Roadway Acceptance, Tunnel Avenue] Ordinance accepting for maintenance the roadway, including the curbs, of Tunnel Avenue from the San Francisco-San Mateo County line to 651 feet northerly. (Department of Public Works) Referred to Housing and Land Use Committee.

File 034-96-013. [Changing Width of Sidewalk, Beale Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1533 changing the official sidewalk width on the north side of Beale Street westerly of Harrison Street, as shown on the Department of Public Works drawing labeled Q-20-466 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 045-96-098. [Kathryne Lee v. CCSF, et al.] Ordinance authorizing settlement of litigation of Kathryne Lee against the City and County of San Francisco by payment of $7,500. (Superior Court No. 968-315). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-099. [William Johlie v. CCSF, et al.] Ordinance authorizing settlement of litigation of William Johlie against the City and County of San Francisco by payment of $25,000. (Superior Court No. 978-208). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-100. [Gregoria Segado et al., v. CCSF et al.] Ordinance authorizing settlement of litigation of Gregoria Segado against the City and County of San Francisco by payment of $6,000. (Municipal Court No. 114-402). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-101. [Grace Ryan v. CCSF et al.] Ordinance authorizing settlement of litigation of Grace Ryan against the City and County of San Francisco by payment of $70,314.09. (Superior Court No. 973-066). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-96-022. [Appropriation, Department of Human Services] Ordinance appropriating and rescinding $144,585, Department of Human Services, of salaries for the creation and deletion of five (5) positions, for fiscal year 1996-1997; companion measure to File 102-96-5. RO #96130. (Controller) Referred to Budget Committee.

File 101-96-023. [Appropriation, Rent Arbitration Board] Ordinance appropriating $247,000, Rent Arbitration Board, of Neighborhood Development Special Revenue Funds to salaries, fringe benefits and professional services for data base development and temporary staff for fiscal year 1996-97. RO #96137. (Controller) Referred to Budget Committee.

File 102-96-005. [Salary Ordinance Amendment, Dept of Human Services] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of five (5) positions (Class 2916 Social Worker Specialist) and the deletion of five (5) positions (Class AB10 Social Worker Specialist), in the Department of Human Services; companion measure to File 101-96-22. (Department of Human Services) Referred to Budget Committee.

Resolutions Referred to Committee

File 010-96-010. [Major Encroachment Permit, Metricom, Inc.] Resolution granting major encroachment permit to Metricom, Inc., to mount 500 wireless radio repeater devices on City-owned light poles for a term of 24 months and adopting findings pursuant to Section 101.1 of the Planning Code. (Planning Department) (Planning Commission Motion No. 14156, adopted 7/11/96). (Public Utilities Commission Resolution dated 10/8/96 recommending approval of the proposed encroachment). Referred to Housing and Land Use Committee.

File 047-96-013. [Lease, Wilder Street Off-Street Parking] Resolution authorizing a lease of real property of Lots 26, 27, and 28 in Assessor's Block 6745 (Wilder Street near Diamond Street), for use as an off-street metered parking lot. (Also see File 47-88-11). (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 048-96-059. [Settlement of Claim, Thomas Willet] Resolution approving the settlement of the unlitigated claim of Thomas Willet by payment of $7,800.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-060. [Settlement of Claim, Deanna Weber] Resolution approving the settlement of the unlitigated claim of Deanna Weber by payment of $8,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-061. [Settlement of Claim, Ercel Rima-Fleurima] Resolution approving the settlement of the unlitigated claim of Ercel Rima-Fleurima by payment of $6,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-062. [Settlement of Claim, Allstate Insurance] Resolution approving the settlement of the unlitigated claim of Allstate Insurance Company (Insured: John Klip) by payment of $5,439.53. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-023. [Lease Renewal at 1540 Market Street] Resolution authorizing the lease renewal of office space located at 1540 Market Street, Suite 250, for the Tobacco Free Project, Department of Public Health, commencing November 1, 1996. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 065-96-012. [Lease Agreement, Pier 23 Cafe] Resolution approving lease agreement with Pier 23 Cafe, a general partnership, and the City and County of San Francisco operating by and through the San Francisco Port Commission for a restaurant at Pier 23 (Embarcadero and Lombard). (Port Commission) Referred to Government Efficiency/Labor Committee.

File 143-96-009. [Grant, Innovative Community Policing Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of One Hundred Fifty Thousand Dollars ($150,000.00), excluding indirect costs not allowed under this program, for a project known as "Innovative Community Oriented Policing (ICOP) Problem-Solving Partnerships" from the United States Department of Justice's Office of Community Oriented Policing Services (COPS). No matching funds are required. (Police Department) Referred to Government Efficiency/Labor Committee.

File 143-96-010. [Grant, Enhance the Police Communications System] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of Five Hundred Thousand Dollars ($500,000.00) for new funding for a project entitled "Program to Enhance the Police Communications System", plus an in-kind match of One Hundred Thousand ($100,000.00) Dollars. (Police Department) Referred to Government Efficiency/Labor Committee.

File 172-96-040. [Transit Shelter Agreement] Resolution approving assignment of advertising transit shelter agreement to Outdoor Systems, Inc. (Also see Files 176-87-2 and 172-94-37). (Municipal Railway) Referred to Government Efficiency/Labor Committee.

File 172-96-041. [1995-96 Transfer Payment from BART to MUNI] Resolution approving an agreement between the City and County of San Francisco and the Bay Area Rapid Transit District, authorizing payment to San Francisco Municipal Railway for transfer trips provided in 1995-96. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Leal, that City Attorney prepare ordinance concerning campaign consultant regulation to include recusal provisions which was previously considered by the Board of Supervisors.

By Supervisor Alioto, that letters be sent to the City Attorney, District Attorney and Ethics Commission inquiring as to the status of the investigation for official misconduct of members of the Public Utilities Commission for willful failure to discharge the duties imposed by Section 11.8 of the Administrative Code concerning feasibility of municipalizing the electricity utilities distribution system.

By Supervisor Ammiano, that letter be sent to the Human Rights Commission inquiring into Catholic Charities on their different treatment of domestic partners and married couples on their honorary host committee list for the grand opening ceremonies of the Leland Avenue HIV Residential Project.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Sylvia Rosenbaum (Supervisor Kaufman)

File 2-96-47

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:57 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 3, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, December 9, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 9, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Quorum present.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Airport Commission]
Ordinance appropriating $189,066,455, Airport Commission, from proceeds of Airport Revenue Bonds, Issue 13 to capital improvement projects for infrastructure improvements, interest expenses and professional services for fiscal year 1996-97; placing $152,491,000 on reserve. (Controller)

File 101-96-15, Ordinance No. 467-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Works]
Ordinance appropriating and rescinding $101,976, Department of Public Works, from Gasoline Tax Fund to a capital project for Mission Street Lighting for fiscal year 1996-97. (Supervisors Leal, Brown)

File 101-96-16, Ordinance No. 468-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Works]
Ordinance appropriating $165,000, Department of Public Works, of Broadway Parking Lot revenues to cover the costs of the acquisition and disposition of Steuart/Folsom Street parcels and the design and administration of the Mid-Embarcadero Roadway Artwork Project for fiscal year 1996-97. (Controller)

File 101-96-17, Ordinance No. 469-96

Finally passed.

[Appropriation, Port Commission]
Ordinance appropriating $1,579,000, Port Commission, of San Francisco Harbor Operating Funds, for various capital improvement projects (income property improvements at Pier 26 Annex, Pier 1-1/2, Pier 50 Shed A/alternate shed, and Agriculture Building); placing $1,329,000 on reserve. (Supervisor Brown)

File 101-96-19, Ordinance No. 470-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Mayor's Office of Community Development]
Ordinance rescinding $800,000 from a Convention Facilities Fund capital project and re-appropriating the funds to the Mayor's Office of Community Development for the acquisition and renovation of the Chinese Historical Society Building for fiscal year 1996-97. (Supervisors Hsieh, Bierman, Kaufman, Alioto, Teng, Ammiano, Yaki, Brown, Leal)

File 101-96-20, Ordinance No. 449-96

Finally passed.

[Dog Licenses]
Ordinance amending Health Code, to increase fees for issuance of dog licenses; and relating to reduction fee-special circumstances. (Animal Care and Control Department)

File 118-96-6, Ordinance No. 472-96

(Fiscal Impact.)

(Amends Sections 41.15, 41.16.)

Finally passed.

[Real Property Transfer Tax]
Ordinance amending Part III of the Municipal Code, which will exempt from the real property transfer tax conversions of stock cooperatives to condominiums which meet the criteria for exempt conversions set forth in Subdivision Code, Section 1396, and in which 80 percent or more of the cooperative units are financed in whole or in part by the City and County. (Supervisor Hsieh)

File 127-96-9, Ordinance No. 473-96

(Fiscal Impact.)

(Adds Section 1108.4.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Golbarg Fahid/Vega/Hawks, v. CCSF et al.]
Ordinance authorizing settlement of litigation of Golbarg Fahid/Andre Vega and Dawn Hawks against the City and County by payment of $30,000. (City Attorney)

File 45-96-83.1, Ordinance No. 452-96

(U.S. District Court No. C94-3523.)

Finally passed.

[Amendment to MOU, Local 21]
Ordinance amending Ordinance 221-95 to implement the provisions of an arbitrator's award regarding pay equity adjustments for Classifications 2594 and 2595 Employee Assistance Counselors between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County, to be effective retroactive to July 1, 1993 through June 30, 1997. (Department of Human Resources)

File 93-95-35.5, Ordinance No. 450-96

(Fiscal Impact.)

Finally passed.

[Cammarata et al., v CCSF et al.]
Ordinance authorizing settlement of litigation of Barbara Cammarata against the City and County by payment of $65,000. (City Attorney)

File 45-96-84, Ordinance No. 453-96

(Superior Court No. 977-779.)

Finally passed.

[Jessie David Wall v. CCSF et al.]
Ordinance authorizing settlement of litigation of Jessie David Wall against the City and County by payment of $7,500. (City Attorney)

File 45-96-85, Ordinance No. 454-96

(Superior Court No. 973-216.)

Finally passed.

[Evelyn Dusovsky v. CCSF et al.]
Ordinance authorizing settlement of litigation of Evelyn Dusovsky against the City and County by payment of $7,500. (City Attorney)

File 45-96-86, Ordinance No. 455-96

(Superior Court No. 966-955.)

Finally passed.

[Florence Basuino v. CCSF et al.]
Ordinance authorizing settlement of litigation of Florence Basuino against the City and County by payment of $235,000. (City Attorney).

File 45-96-87, Ordinance No. 456-96

(Superior Court No. 961-562.)

Finally passed.

[John Dilatush et al. v. CCSF et al.]
Ordinance authorizing settlement of litigation of John and Patricia Dilatush against the City and County by payment of $20,000. (City Attorney)

File 45-96-88, Ordinance No. 457-96

(Superior Court No. 963-918.)

Finally passed.

[Hernandez/Ruanto v. CCSF et al.]
Ordinance authorizing settlement of litigation of Raly James Hernandez, Ederlinda Hernandez, Christina Ruanto against the City and County by payment of $17,500. (City Attorney)

File 45-96-89, Ordinance No. 458-96

(Municipal Court No. 119-035.)

Finally passed.

[Araya v. CCSF]
Ordinance authorizing settlement of litigation of Araya against the City and County with no payment of money by San Francisco and with San Francisco's agreement that the settlement is without prejudice to any party (besides plaintiff) bringing a later claim arising out of the new Main Library construction project. (City Attorney)

File 45-96-90, Ordinance No. 459-96

(Superior Court No. 973-697.)

Finally passed.

[Bernard Ogbuagu v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Bernard Ogbuagu against the City and County by payment of $9,500. (City Attorney)

File 45-96-91, Ordinance No. 460-96

(Superior Court No. 956-124.)

Finally passed.

[Jones/Shkrabuik v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Peter M. Jones and Patricia Shkrabuik against the City and County by payment of $3,260,000. (City Attorney)

File 45-96-92, Ordinance No. 461-96

(Superior Court No. 974-206.)

Finally passed.

[Eliza Gomez v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Eliza Gomez against the City and County by payment of $7,500. (City Attorney)

File 45-96-93, Ordinance No. 462-96

(Municipal Court No. 073-130.)

Finally passed.

[Jung S. Rand v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Jung S. Rand against the City and County by payment of $43,000. (City Attorney)

File 45-96-94, Ordinance No. 463-96

(Superior Court No. 969-127).

Finally passed.

[Thomas Garcia v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Thomas Garcia against the City and County by payment of $30,000. (City Attorney)

File 45-96-95, Ordinance No. 464-96

(Superior Court No. 962-708.)

Finally passed.

[MOU, Local 21 Full Retirement Contribution]
Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between IFPTE Local 21 and the City and County providing that all covered employees be placed into full retirement contribution status effective December 28, 1996 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 93-96-31, Ordinance No. 465-96

Finally passed.

[Damages in Contracts for Goods/Services]
Ordinance amending Administrative Code, to provide for approval of waivers of future incidental and consequential damages in contracts for goods and services. (Supervisor Ammiano)

File 97-96-54, Ordinance No. 466-96

(Adds Section 21.54.)

Finally passed.

[Court Employee Executive Compensation, FY 1996/97]
Ordinance setting schedules of compensation and other economic benefits for fiscal year 1996-97 for certain classifications of persons employed by the Municipal and Superior Courts for the City and County. (Municipal Court)

File 106-96-4, Ordinance No. 471-96

(Fiscal Impact.)

Finally passed.

[Hospital Services Contract]
Ordinance authorizing the Director of Public Health to execute an agreement with Baycare Medical Group for the Department of Public Health to provide hospital services to managed care enrollees, which agreement includes binding arbitration, indemnification, risk sharing, and limited authority for the Director of Health to execute amendments. (Department of Public Health)

File 172-96-36, Ordinance No. 474-96

Finally passed.

Passed for Second Reading

[Caroline Jurovic v. CCSF/Nelson Lee, et al.]
Ordinance authorizing settlement of litigation of Caroline Jurovic against the City and County and Nelson Lee by payment of $13,000. (City Attorney)

File 45-96-96, Ordinance No.

(Municipal Court Case No. 120-470.)

Passed for second reading.

[Reine Avila v. CCSF]
Ordinance authorizing settlement of litigation of Reine Avila against the City and County by payment of $8,500 plus waiver of San Francisco General Hospital lien of $8,460. (City Attorney)

File 45-96-97, Ordinance No.

(U.S. District Court No. C-96-0455 CW).

Passed for second reading.

Adopted

[Settlement of Claim, Adelaida Brown]
Resolution approving the settlement of unlitigated claim of Adelaida Brown by payment of $9,000. (City Attorney)

File 48-96-54, Resolution No. 1103-96

Adopted.

[Settlement of Claim, Stanislav Mirzoyen]
Resolution approving the settlement of the unlitigated claim of Stanislav Mirzoyen by payment of $8,000.00. (City Attorney)

File 48-96-56, Resolution No. 1105-96

Adopted.

[Settlement of Claim, Ronald Salkin]
Resolution approving the settlement of the unlitigated claim of Ronald Salkin by payment of $18,000.00. (City Attorney)

File 48-96-57, Resolution No. 1106-96

Adopted.

[Settlement of Claim, Clarence Shaw]
Resolution approving the settlement of the unlitigated claim of Clarence Shaw by payment of $20,000.00. (City Attorney)

File 48-96-58, Resolution No. 1107-96

Adopted.

[SDI Coverage, Classification 1282]
Resolution authorizing enrollment of classification 1282 Principal Employee Relations Representative into the State Disability Insurance Program. (Department of Human Resources)

File 89-96-11, Resolution No. 1114-96

Adopted.

[Federal Grant - Oakdale Avenue Bridge]
Resolution authorizing retroactively the Director of Public Works to apply for, accept, and expend $3,418,410 in Federal funds for demolition and rebuilding of Oakdale Avenue Bridge, waiving indirect costs; rescinding Resolution 1031-93. (Department of Public Works)

File 148-96-6, Resolution No. 1122-96

Adopted.

[Contract, DPH - Seattle-King County]
Resolution authorizing the execution and approval of a contract, including a hold harmless provision, between the Department of Public Health and the Seattle-King County Department of Public Health, for the use of dispatch guidelines and instruction. (Department of Public Health)

File 172-96-14, Resolution No. 1123-96

Adopted.

Recommendations of Housing and Land Use Committee

Finally Passed

[Changing Width of Sidewalk, Eagle Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1532 changing the official sidewalk width on the south side of Eagle Street between Mono Street and Market Street, as shown on the Department of Public Works drawing labeled Q-20-460, and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-96-12, Ordinance No. 451-96

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Appointment of President Pro Tempore

At the request of the President, Supervisor Katz assumed the Chair so the President could participate in the debate from the floor.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Government Efficiency and Labor Committee
Without Recommendation

Passed for Second Reading as Amended

[Leasing of Property on Treasure Island]
Ordinance authorizing the Mayor, or the Mayor's designee, to enter into leases and other agreements with the Navy of property on Naval Station Treasure Island and in turn subleases and other agreements with third-parties of such property without "competitive bidding", and ratifying certain prior acts. (Mayor, Kaufman, Ammiano, Leal)

File 64-96-16, Ordinance No.

(November 25, 1996 - Consideration continued to December 9, 1996.)

Supervisor Kaufman, seconded by Supervisor Ammiano, moved an amendment of the whole bearing same title.

Supervisor Alioto, seconded by Supervisor Ammiano, moved to amend to indicate that there will be competitive bidding.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Ammiano, Alioto - 2.

Noes: Supervisors Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 8.

The roll was then called on the pending amendment of the whole and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 9.

Noes: Supervisor Alioto - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 9.

Noes: Supervisor Alioto - 1.

In connection with the above item, Supervisors Kaufman, Ammiano, Leal requested to be added as co-sponsors.

Adopted

[Assignment/Assumption of Leases, Treasure Island]
Resolution approving an agreement between the City and County and the Redevelopment Agency regarding the assignment and assumption of certain leases, subleases, a license, and a sublicense relating to Naval Station Treasure Island. (Mayor)

File 64-96-16.1, Resolution No. 1110-96

(November 25, 1996 - Consideration continued to December 9, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Retirement System]
Ordinance appropriating $360,000, Retirement System, of Deferred Compensation Program revenue to salaries, fringe benefits, professional services, other current expenses and services of other departments for the Deferred Compensation Program for fiscal year 1996-97; providing for ratification of action previously taken; placing $103,649 on reserve. (Controller)

File 101-96-18, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Appropriation, Trial Courts]
Ordinance appropriating $493,100, Trial Courts, from the Court's Special Revenue Fund, for professional services contracts to complete court automation projects in fiscal year 1996-97. (Controller)

File 101-96-21, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Adopted

[Shared Medical Systems Contract Amendment]
Resolution authorizing the Director of Public Health and the Purchaser to execute an amendment to the contract between the City and County and Shared Medical Systems Corporation dated August 31, 1994. (Department of Public Health)

File 172-96-39, Resolution No. 1126-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport Lease Modification, Continental Airlines]
Ordinance approving retroactively Modification No. 4 of Lease and Use Agreement between Continental Airlines, Inc. and City and County, acting by and through its Airport Commission. (Airport Commission)

File 27-96-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Management Agreement, St. Mary's Square Garage]
Ordinance approving form of the St. Mary's Square Garage and 16th and Hoff Garage management agreement and bid documents, and authorizing and urging the Director of Property to advertise an invitation for bids for management of the St. Mary's Square Garage and the 16th and Hoff Garage using the approved bid documents. (Real Estate Department)

File 47-96-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Amendment to MOU, Municipal Attorneys' Association]
Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between the Municipal Attorneys' Association and the City and County providing that all covered employees be placed into full retirement contribution status effective December 28, 1996 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 93-96-32, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Non-Discrimination in City Contracts-Benefits]
Ordinance amending Chapters 12B and 12C of the Administrative Code, by making certain clarifying amendments, and to provide exceptions to the domestic partners benefits contracting requirements, and providing for suspension of the Domestic Partners Benefits Ordinance until June 1, 1997. (Supervisors Ammiano, Katz, Leal, Alioto, Teng, Brown, Hsieh, Kaufman, Bierman)

File 97-96-33.1, Ordinance No.

(Amends Sections 12B.1, 12B.2, 12C.1, and 12C.2;
Adds Sections 12B.5-1 and 12C.5-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Agricultural and Pesticide-Related Activities]
Ordinance amending Administrative Code, to authorize the President of the Board of Supervisors to execute all contracts on behalf of the City and County with respect to the performance of all agricultural and/or pesticide-related activities by or under the jurisdiction of the San Francisco County Agricultural Commissioner. (Department of Agriculture and Weights and Measures)

File 97-96-60, Ordinance No.

(Amends Section 1.13-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Consideration Continued

[Garment Manufacturers' Tax Credit]
Ordinance amending Part III, Municipal Code, to grant a tax credit, not to exceed $30,000, against the Payroll Expense Tax and the Business Tax on gross receipts, to garment manufacturers with gross receipts of not more than $5 million that invest in technical equipment work reorganization, or employee training, as specified, operative January 1, 1997, and expiring December 31, 2001. (Supervisors Teng, Bierman, Ammiano, Yaki, Leal, Katz, Brown)

File 127-96-4, Ordinance No.

(Fiscal Impact.)

(Adds Sections 906C and 1005.7.)

Supervisor Teng, seconded by Supervisor Leal, moved to continue consideration to December 16, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisors Leal, Katz, Brown requested to be added as co-sponsors.

Adopted

[Grant, Neighborhood Action for Youth Development]
Resolution amending Resolution No. 1011-95 authorizing retroactively, the Mayor to apply for, accept and expend $500,000 from the United States Department of Health and Human Services (HHS) to administer the San Francisco Neighborhood Action for Youth Development Demonstration Project, increasing the amount of funds placed on reserve for target neighborhoods to $337,500 and decreasing the amount of funds placed on reserve for consultant services $80,000, and approving the release of funds in the amount of $417,500 that were placed on reserve by Resolution No. 1011-95. (Mayor Brown)

File 68-95-10.1, Resolution No. 1097-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Settlement of Claim, Aetna Casualty & Surety Co.]
Resolution approving the settlement of the unlitigated claim of Aetna Casualty and Surety Company by payment of $5,964.81. (City Attorney)

File 48-96-55, Resolution No. 1104-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Reimbursement to Employees]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty (four claims totaling $287.37). (Government Efficiency and Labor Committee)

File 51-96-3, Resolution No. 1108-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Lease Renewal]
Resolution authorizing retroactively, the lease renewal of office space located at 1540 Market Street, Suites, 200, 210, 220 and 240, for the office of Emergency Medical Services, a division of the Department of Public Health, commencing November 1, 1996. (Real Estate Department)

File 64-96-21, Resolution No. 1111-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Kaufman, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Katz, Leal - 3.

[Lease of Property]
Resolution authorizing a lease at Fox Plaza, 1390 Market Street, for the City Attorney. (Real Estate Department)

File 64-96-22, Resolution No. 1112-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Hsieh, Kaufman, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Katz, Leal - 3.

[Federal Funds - Ounce of Prevention Grant]
Resolution authorizing retroactively, the Mayor to apply for, accept and expend a grant in the amount of $150,000 from the U.S. Department of Housing and Urban Development to coordinate and integrate youth crime prevention efforts already underway in San Francisco Enterprise Community neighborhoods. (Supervisors Ammiano, Brown)

File 68-96-8, Resolution No. 1113-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Grant, Statutory Rape Vertical Prosecution Program]
Resolution authorizing retroactively, the District Attorney to apply for, accept and expend grant funds in the amount of $150,000 including indirect cost of $6,676 made available through the California Office of Criminal Justice Planning for the continued operation of the "Statutory Rape Vertical Prosecution Program" for the ten month period September 1, 1996 through June 30, 1997. (District Attorney)

File 138-96-13, Resolution No. 1120-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Federal Grant, HIV Prevention Evaluation Project]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for retroactively and accept and expend a grant of $125,261, which includes indirect costs in the amount of $14,405, based on twenty percent of salaries, from the Centers for Disease Control for the HIV Prevention Evaluation Project; providing for ratification of action previously taken. (Supervisors Alioto, Brown)

File 146-96-25, Resolution No. 1121-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[CCSF-IBM Hardware/Software Maintenance Contract]
Resolution approving retroactively the limitation of liability in agreements for software and hardware maintenance with International Business Machines Corporation. (Controller)

File 172-96-29.2, Resolution No. 1124-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Agreement, Sheriff CPR Training]
Resolution authorizing the Sheriff's Department to enter into an agreement with Mr. Ben Dorcy for mandatory certified CPR training which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement; retroactive to July 1, 1996. (Sheriff)

File 172-96-38, Resolution No. 1125-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Grant - Integrated Pest Management Plan]
Resolution authorizing the Agricultural Commissioner to apply for, up to $75,000 in Environmental Protection Agency ("EPA") pest management grant funding from the EPA through the California Department of Pesticide Regulation ("DPR") and EPA to perform education and outreach with respect to the City's Integrated Pest Management Program. (Supervisor Shelley)

File 269-96-1, Resolution No. 1131-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Recommendations of Economic Vitality & Social Policy Committee

Passed for Second Reading as Amended

[Translators at Board of Supervisors' Meetings]
Ordinance amending Administrative Code, to require that translators be provided at meetings of the full Board of Supervisors and Board of Supervisors' committees upon request, provided that the request is made 48 hours before the meeting or by noon of the last business day of the preceding week for Monday or Tuesday meetings requiring Board review if annual city costs exceed $20,000; providing this ordinance shall expire on December 31, 1998. (Supervisors Teng, Katz, Brown, Bierman, Ammiano)

File 97-96-58, Ordinance No.

(Amends Section 67.15.)

Supervisor Teng, seconded by Supervisor Leal, moved to amend title, line seven, after "meetings" by inserting, "; requiring Board review if annual city costs exceed $20,000; providing this ordinance shall expire on December 31, 1998"; amend page three, line 17, by adding the following two sentences: "In any calendar year in which the costs to the City for providing translator services under Subsection (e) exceeds $20,000, the Board of Supervisors shall, as soon as possible thereafter, review the provisions of subsection (e). The provisions of Subsection (e) shall expire on December 31, 1998."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

Adopted

[Declaring Safety Zone for Immigrants]
Resolution declaring the City and County to be a "Safety Zone," free of discrimination based on immigration status. (Supervisors Teng, Katz, Brown, Bierman, Ammiano)

File 13-96-42, Resolution No. 1101-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

[Citizenship Movement]
Resolution declaring it to be the policy of the City and County to promote a multi-level citizenship movement with the purpose of ensuring attainment of citizenship through naturalization for all qualified immigrants and urging maximization of classes in citizenship and English as a second language, increased outreach and assistance with the naturalization process, expedited processing of naturalization applications by the Immigration and Naturalization Service, and priority funding for community-based organizations which provide classes and assistance, or other welfare-reform related activities. (Supervisors Teng, Katz, Alioto, Bierman, Kaufman, Brown, Ammiano)

File 43-96-2, Resolution No. 1102-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

[Greater Avenues for Independence Plan]
Resolution approving the Greater Avenues for Independence (GAIN) Plan prepared by the Department of Human Services for submission to the California Department of Social Services. (Department of Human Services)

File 107-96-4, Resolution No. 1118-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Hate Crimes/Discrimination Against Immigrants]
Resolution urging the Police Department to develop a plan and the Human Rights Commission to hold hearings to address the increase in hate crimes and discrimination against immigrants arising from passage of state and federal anti-immigrant laws. (Supervisors Teng, Katz, Brown, Bierman, Kaufman, Leal, Alioto, Ammiano)

File 207-96-11, Resolution No. 1128-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing member to the Drug Abuse Advisory Board, for unexpired portion of three-year term ending October 1, 1997. (Rules Committee)

File 92-96-60, Resolution No. 1116-96

(Vernon Grigg, III, vice Joseph Engler, resigned, Seat No. 22101, must represent law enforcement.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Appointment]
Resolution appointing member to the Drug Abuse Advisory Board, for new three-year term ending October 1, 1999. (Rules Committee)

File 92-96-44, Resolution No. 1115-96

(Yvonne Littleton, vice Chuck Louden, Seat No. 22105, provider, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Appointment]
Resolution appointing member to the Ballot Simplification Committee, for new two-year term ending November 30, 1998. (Rules Committee)

File 92-96-62.1, Resolution No. 1117-96

(John Odell, vice himself, Seat No. 21201, represents National Academy of Television Arts and Sciences.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Recommendations of Housing and Land Use Committee

Adopted

[Liquor License, 1525 Mission Street]
Resolution determining that the issuance of a Type 48 on-sale general public premise license to Mark Dreier for Loading Dock, located at 1525 Mission Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code, with condition. (Housing and Land Use Committee)

File 223-96-44, Resolution No. 1130-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Appeal, Sidewalk Encroachment, 60 Lower Terrace]
Motion denying the appeal of a decision by the Department of Public Works, which granted the issuance of a minor sidewalk encroachment permit to occupy, construct, and maintain an existing cobblestone retaining wall and landscaping, and to construct a new driveway ramp on compacted fill within an unimproved portion of City right-of-way, for a proposed garage fronting the property at 60 Lower Terrace and granting the issuance of the requested minor encroachment permit. (Housing and Land Use Committee)

File 24-96-6

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Appointment of President Pro Tempore

At the request of the President, Supervisor Katz assumed the Chair.

From Housing and Land Use Committee
Without Recommendation

Tabled

[Owner Move-in Reform and Senior Housing Protection Act]
Ordinance amending Administrative Code, (1) to replace current Subsection 37.9(a)(8) with a new Subsection 37(a)(8) governing when a landlord may recover possession of a rental unit for occupancy by the landlord or a relative, which new subsection increases from 12 months to 36 months the period of time the landlord or family member must intend to reside in the unit, creates a rebuttable presumption that the landlord has not acted in good faith if the landlord does not move in within three months or occupy the unit for 36 months, increases for new owners the ownership interest in the property required for owner move-in, and restricts move-in by relatives of the landlord; (2) to establish tenant rights in evictions under Subsection 37.9(a)(8) including specified notice, payment of relocation costs, right of a former tenant to relet after the landlord or landlord's relative vacates, prohibition of owner move-in in units where tenants age 62 or older who have been in the building ten years reside, and reinstatement of the previous rent after landlord or relative vacates; (3) to establish that it shall be a misdemeanor to refuse to rent to a person because their age would result in their acquiring rights under this Chapter; and (4) to create a civil action for attempting to prevent a tenant from acquiring rights under this Chapter. (Supervisors Bierman, Ammiano)

File 109-96-2, Ordinance No.

(Adds Section 37.9B;
Amends Sections 37.9, 37.10A, 37.11A.)

Supervisors Brown, Kaufman, Leal Excused from Voting

On advice of the City Attorney, Supervisors Brown, Kaufman and Leal requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Hsieh, seconded by Supervisor Yaki, moved to excuse Supervisors Brown, Kaufman and Leal from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Supervisor Yaki, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Hsieh, Katz, Teng, Yaki - 4.

Noes: Supervisors Alioto, Ammiano, Bierman - 3.

Excused: Supervisors Brown, Kaufman, Leal - 3.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Daniel Pieste, local politics;
Pat Sorrey, immigration;
L. J. Dolan, elevator-escalator construction worker;
Male speaker, oppose rent ordinance;
Leboriae P. Smoore, Alice Griffith Project.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Juana Briones]
Resolution acknowledging Juana Briones as the first woman settler of San Francisco; accepting on behalf of the people of the City and County the State historical marker honoring Juana Briones and directing the Recreation and Park Commission to approve placement of the plaque at its December 19, 1996 meeting and to take all steps necessary to ensure that the plaque is placed in Washington Square Park. (Supervisors Leal, Kaufman, Bierman, Teng, Katz, Alioto, Ammiano, Brown, Hsieh, Yaki)

File 276-96-1, Resolution No. 1132-96

(November 25, 1996 - Introduced in Board for consideration on December 9, 1996.)

Supervisor Leal, seconded by Supervisor Bierman, moved to amend title, line four and page three, line 6, by replacing December 19, 1996" with "January 16, 1997".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Hsieh, Yaki - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Hsieh, Yaki - 2.

In connection with the above item, Supervisors Teng, Katz, Alioto, Ammiano, Brown, Hsieh, Yaki requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Evelyn Gentry Hooker]
Resolution commending the lifetime achievement of the late Dr. Evelyn Gentry Hooker whose pioneering study of the behavior of the homosexual men in the 1940's led to the removal of homosexuality as a psychological disorder from the American Psychiatric Association's Diagnostic and Statistical Manual. (Supervisors Leal, Bierman, Ammiano, Katz, Teng)

File 6-96-183, Resolution No. 1098-96

(November 25, 1996 - Introduced in Board for consideration on December 9, 1996.)

Adopted.

In connection with the above item, Supervisors Katz, Teng requested to be added as co-sponsors.

[Extend Planning Commission Review Period]
Resolution extending the prescribed time within which the Planning Commission may render its decision on proposed ordinance to amend the Planning Code with respect to neighborhood commercial district construction application notice. (Supervisor Bierman)

File 115-96-9.1, Resolution No. 1119-96

(November 25, 1996 - Introduced in Board for consideration on December 9, 1996.)

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.24

(November 25, 1996 - Introduced in Board for consideration on December 9, 1996.)

Adopted.

[Legislative Chamber]
Motion designating the Herbst Theater as the legislative chamber of the Board of Supervisors for its inaugural meeting on Wednesday, January 8, 1997. (Clerk of the Board)

File 54-96-11

(November 25, 1996 - Introduced in Board for consideration on December 9, 1996.)

Adopted.

[Emergency Design Contract]
Resolution authorizing the Director of Health to execute an agreement on an emergency basis with Fisher O'Connel Associates to design the replacement of the hot water system at Laguna Honda Hospital. (Supervisor Ammiano)

File 172-96-43, Resolution No. 1127-96

(December 4, 1996 - Referred to Board for consideration on December 9, 1996.)

Adopted.

[Mortgage Credit Certificates]
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates in an amount not to exceed $25,000,000. (Supervisor Brown)

File 218-96-1.1, Resolution No. 1129-96

(December 2, 1996 - Referred to Board for consideration on December 9, 1996.)

Adopted.

[Parcel Map, 1700 Egbert Avenue]
Motion approving parcel map of 1700 Egbert Avenue, being a merger of parcels one and two, portion of Assessor's Block 5415, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-40

(November 21, 1996 - Referred to Board for consideration on December 9, 1996.)

Adopted.

[Final Map, Bush/Broderick Building]
Motion approving final map of Bush/Broderick Building, a Residential Condominium Project, being a subdivision of Lot 17 in Assessor's Block 1049, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-41

(November 27, 1996 - Referred to Board for consideration on December 9, 1996.)

Adopted.

[Election Declaration]
Resolution declaring the results of the General Municipal Election conducted November 5, 1996, in the City and County of San Francisco. (Department of Elections)

File 60-96-11, Resolution No. 1109-96

(November 26, 1996 - Referred to Board for consideration on December 9, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng - 8.

Absent: Supervisors Hsieh, Yaki - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Brown, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Brown, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

[Imperative Resolutions]

Adopted

[Commend Jackie Chan]
Resolution commending Jackie Chan and declaring December 6, 1996 as "Jackie Chan Day".

File 006-96-184, Resolution No. 1099-96

Supervisor Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

[Commend Asian Pacific American Labor Alliance]
Resolution commending Asian Pacific American Labor Alliance and declaring December 12, 1996 as "APALA Day".

File 006-96-185, Resolution No. 1100-96

Supervisor Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Burma Ordinance Clarifying Amendments]
Ordinance amending Administrative Code Sections 12J.1, 12J.2, 12J.3, 12J.4, 12J.7 and 12J.8 relating to the Burma Ordinance by adding certain clarifying amendments, including the application of the ordinance contracts with private entities, contracts for the construction of public works and contracts to be paid out of the treasury of the City and County. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 097-96-010.01.

[Campaign Consultant Regulation]
Ordinance amending Administrative Code by adding Sections 16.540 through 16.547 to require registration of and quarterly reporting by campaign consultants; prohibits a member of the Board of Supervisors, who retains a campaign consultant who is also a lobbyist, from participating in deliberations and decisions on matters on which the campaign consultant lobbies the Board of Supervisors; and prohibit a member of the Board of Supervisors, who has previously retained a campaign consultant who is also a lobbyist, and who owes the campaign consultant money for campaign consulting services provided to help elect the member of the Board of Supervisors, from participating in deliberations and decisions on matters on which the campaign consultant lobbies the Board of Supervisors. Supervisor Leal presented. Referred to Government Efficiency/Labor Committee.

File 097-96-013.03.

[Displaced Worker Protection Act]
Substitute ordinance amending Administrative Code by adding Chapter 75, Sections 75.1 through 75.10 to provide for the retention of security, janitorial building maintenance and non-professional health care workers when a successor contract is awarded. Supervisor Yaki presented. Referred to Budget Committee.

File 097-96-055.

[Immigrant Rights Advisory Committee]
Ordinance amending Administrative Code by adding Section 5.201 establishing the Immigrant Rights Advisory Committee. Supervisors Teng, Katz presented. Referred to Economic Vitality/Social Policy Committee.

File 097-96-064.

[Cigarette Vending Machine Ban]
Ordinance amending Health Code by amending Article 19D, Sections 1009 through 1009.4, to ban cigarette vending machines in the City and County, even those located in places where minors are not permitted by law. Supervisors Alioto, Yaki, Leal, Ammiano, Bierman, Katz presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the December 19, 1996 meeting.

File 118-96-002.

[Sale/Exchange of Property, Alameda Street]
Proposed amendment of the whole entitled, Ordinance authorizing the exchange of a former portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1. Supervisor Bierman presented. Referred to Board December 16, 1996.

File 164-96-001.02.

Referred to Board

[Joint Powers Agreement]
Ordinance approving amended and restated Joint Powers Agreement changing the manner of Santa Clara County representation on the Joint Powers Board, incorporating prior amendments approved by member agencies, and waiving the requirements of tropical hardwoods clause. Supervisor Hsieh presented. Referred to Rules Committee with request it be considered at the December 17, 1996 meeting.

File 172-96-045.

[Commend SF Firefighters Toy Program]
Resolution commending the San Francisco Firefighters Toy Program for developing the first ever "Santa's Workshop on Wheels". Supervisors Hsieh, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 16, 1996.

File 006-96-186.

[Red Light Violation Fines]
Resolution urging the State Legislature to increase the fine for the moving violation of running a red light to $250.00 and directing the City's Lobbyist to take all reasonable steps to initiate and lobby for such legislation at the earliest possible time and to issue written status reports on the progress of the initiative. Supervisors Leal, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar December 16, 1996.

File 012-96-048.

[Welfare Reform Exemption]
Resolution urging the United States Congress and the President to exempt frail elderly from the provisions of the Welfare Reform Bill denying public assistance to legal immigrants. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar December 16, 1996.

File 013-96-044.

Referred to Committee

[Inner Sunset Neighborhood Commercial District]
Resolution imposing Interim Zoning Controls to create the Inner Sunset Neighborhood Commercial District, consisting of the NC-2 District bounded by Fifth Avenue, Nineteenth Avenue, Kirkham Street and Lincoln Way; and imposing controls on all uses in this district for an eighteen (18) month period; and making determination of consistency with the priority policies of Planning Code Section 101.1. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 111-96-008.

Referred to Board

[Labor Issue, San Francisco Symphony]
Resolution urging the San Francisco Symphony to continue payments for medical, dental and vision care insurance for its employees. Supervisors Alioto, Ammiano, Bierman, Brown, Teng, Yaki, Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar December 16, 1996.

File 176-96-009.

[Court Appointed Special Advocates]
Resolution approving and acknowledging the submission of a grant application by the San Francisco Court Appointed Special Advocates (SFCASA) to the California Judicial Council in the amount of $20,000. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar December 16, 1996.

File 256-96-002.

Requests for Hearings:

[Free Muni Service, Public Assistance]
Hearing to consider the feasibility, impact and practical implications of providing free Muni service to San Francisco residents on public assistance. Supervisor Yaki presented. Referred to Budget Committee.

File 007-96-008.

[Traffic Light]
Hearing to consider the installation of a traffic light at the intersection of 30th and Dolores Streets. Supervisor Ammiano presented. Referred to Housing and Land Use Committee.

File 191-96-005.

[Bicycle Rack Implementation]
Hearing to consider the City's implementation of the bicycle rack legislation. Supervisor Katz presented. Referred to Government Efficiency/Labor Committee.

File 277-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-102. [GA Rights Union et al. v. Cahill et al.] Ordinance authorizing settlement of litigation of GA Rights Union against the City and County of San Francisco by payment of $38,626. (Superior Court No. 973-227) Referred to Government Efficiency/Labor Committee.

File 045-96-103. [Homer J. Olsen et al. v. CCSF and CH2M Hill] Ordinance authorizing settlement of litigation of Homer J. Olsen/Ohbayashi Corporation and Brayer/Abbett against the City and County of San Francisco and CH2M Hill by payment of $2,000,000. (Alameda County Superior Court, Northern Division; Docket No. 727093-8). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 097-96-062. [Public Health Membership in Organizations] Ordinance amending Administrative Code by amending Section 16.6-10 to authorize the Department of Public Health to join the University Healthsystems Consortium (UHC) and the University Healthsystems Consortium Services Corporation (UHCSC); companion measure to File 97-96-63. (Department of Public Health) Referred to Budget Committee.

File 097-96-063. [Public Health Access to UHC/UHCS Services] Ordinance amending Administrative Code by adding Section 19A.36 to authorize the Director of Public Health to access all services provided by the University Healthsystems Consortium (UHC) and the University Healthsystems Consortium Services (UHCSC) including purchasing supplies and accessing clinical and financial databases; companion measure to File 97-96-62. (Department of Public Health) Referred to Budget Committee.

File 101-96-024. [Appropriation, Public Library] Ordinance appropriating $1,601,488, Public Library, for salaries-miscellaneous for fiscal year 1996-97 - $1,257,927 from Public Preservation Fund, $129,977 from the General Fund Reserve and $211,684 from fees and Federal grant revenues and miscellaneous revenues; rescinding $83,600 of membership fees, other contractual services (Library Preservation Fund) and $1,900 of Materials and Supplies (General Fund). RO #96164. (Controller) Referred to Budget Committee.

File 101-96-025. [Appropriation, Medical Examiner/Coroner] Ordinance appropriating $19,222, Medical Examiner/ Coroner, from General Fund Reserve (Sudden Infant Death Syndrome Revenue) to purchase computer equipment for fiscal year 1996-97. RO #96146. (Controller) Referred to Budget Committee.

File 101-96-026. [Appropriation, Board of Supervisors] Ordinance appropriating $17,626, Board of Supervisors, from the General Fund Reserve for salaries and fringe benefits for the creation of one (1) position for fiscal year 1996-97; companion measure to File 102-96-7. RO #96165. (Controller). Referred to Budget Committee.

File 101-96-027. [Appropriation, Mayor's Office] Ordinance rescinding $517,483 from a capital project for stadium naming rights at Recreation and Park and transferring it to salaries, fringe benefits, travel, training, professional services, materials and supplies, equipment and services of other

departments for the creation of three (3) positions at the Mayor's Office to review financing and development options for a stadium to replace 3Com Park, for fiscal year 1996-97; companion measure to File 102-96-6. RO #96166. (Controller) Referred to Budget Committee.

File 102-96-006. [Salary Ordinance Amendment, Mayor's Office] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of three (3) positions (Class 1376 Special Assistant XVII, 1372 Special Assistant XIII, and 1450 Executive Secretary I), in the Mayor's Office; companion measure to File 101-96-27. (Department of Human Resources) Referred to Budget Committee.

File 102-96-007. [Salary Ordinance Amendment, Board of Supervisors] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) reflecting the creation of one (1) position (Class 1361 Special Assistant II), in the Board of Supervisors; companion measure to File 101-96-26. (Department of Human Resources) Referred to Budget Committee.

File 121-96-013. [Permit Fees for Tow Car Firms/Ramped Taxicabs] Ordinance amending Police Code by amending Sections 2.26 and 2.27, relating to permit filing fees and permit license fees for tow car firms and ramped taxicabs. (Police Commission) Referred to Budget Committee.

File 170-96-010. [Lease Financing for 911 Center] Ordinance rescinding Ordinance 208-94 (Citywide Radio System Lease Financing); approving a Site Lease Agreement between the City and County of San Francisco ("City"), as lessor, and the City and County of San Francisco Finance Corporation ("Corporation"), as lessee, relating to a portion of Assessor's Block 759, Lot 1, known as the Margaret S. Hayward Playground ("Site"); approving a Project Lease Agreement between the Corporation as lessor, and the City as lessee, of the 911 Dispatch Center to be constructed on the Site (including certain indemnification provisions therein); approving an Agency Agreement between the Corporation and the City with respect to a 911 Dispatch Center to be used for City purposes; approving the issuance of Lease Revenue Bonds of the Corporation; approving a Continuing Disclosure Agreement relating to said bonds; approving the circulation, execution and delivery of an Official Statement relating to said bonds; and providing for the execution of documents in connection with and ratifying previous actions taken in connection with the foregoing matters; companion measure to File 216-95-1.2. (Also see File 170-94-6). (City Administrator/Department of Administrative Services) Referred to Budget Committee.

File 216-95-001.02. [Combined Emergency Communications Center] Ordinance selecting and setting aside certain real property at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, consisting of the following: (1) a subsurface 10-foot wide sewer line to service the new Combined Emergency Communications Center ("CECC"); (2) an emergency ingress and egress right-of-way to and from Octavia Street; and (3) an aerial encroachment area over the southern boundary of the property on which the new CECC shall be constructed; and amending Section 6 of Ordinance No. 80-96 to provide an elevation adjustment to allow for the construction of the underground parking structure for CECC; companion measure to File 170-96-10. (City Administrator/Department of Administrative Services) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-96-024. [Prop J Contract, Security Services] Resolution concurring with the Controller's certification that uniformed security services can be practically performed for the Public Transportation Commission by a private contractor for a lower cost than similar work services performed by City and County employees. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 027-96-015. [Right of Way Cooperative Agreement] Resolution approving a Right of Way Cooperative Agreement between the Airport Commission and CalTrans and authorizing the Director of Property and Airport Director to execute documents to complete the property exchange. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 038-96-019. [Gift Acceptance, Rathmann Family Foundation] Resolution authorizing acceptance by the San Francisco Fire Department of a $8,850 contribution from the Rathmann Family Foundation for the Neighborhood Emergency Response Team training program. (Fire Commission) Referred to Government Efficiency/Labor Committee.

File 038-96-020. [Gift Acceptance, Recreation and Park] Resolution accepting four gifts valued at $72,300, for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 048-96-063. [Settlement of Claim, Debbie Ellis] Resolution approving the settlement of the unlitigated claim of Debbie Ellis by payment of $7,000.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-064. [Settlement of Claim, Michael Walls] Resolution approving the settlement of the unlitigated claim of Michael Walls by payment of $7,050.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-065. [Settlement of Claim, Thomas Gerard Murphy] Resolution approving the settlement of the unlitigated claim of Thomas Gerard Murphy by payment of $30,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-066. [Settlement of Claim, Susan Colby Meyer] Resolution approving the settlement of the unlitigated claim of Susan Colby Meyer by payment of $23,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-96-013. [Lease of Property, Crystal Springs Golf Partners] Resolution authorizing a 20-year lease of Water Department land between the City and County of San Francisco and Crystal Springs Golf Partners, L.P., located in the Crystal Springs Watershed, San Mateo California. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 111-96-007. [Wireless Telecommunication Facilities Moratorium] Resolution imposing up to an eighteen month moratorium on specified wireless telecommunication facilities in RH-1, RH-1(D), RH-1(S), RH-2, RH-3, RM-1, RM-2, and RM-3 Zoning Districts, subject to certain exceptions, pursuant to Planning Code Section 306.7 and establishing the terms and limitations thereof, to enable adoption of a telecommunications facilities amendment to the community facilities element of the General Plan. (Planning Department) (Planning Commission Resolution No. 14187 approving limitation on the placement of Wireless Telecommunications Services (WTS) Facilities, adopted 9/5/96; Planning Commission Resolution No. 14200 approving the WTS moratorium, adopted 9/26/96.) (Exempt Status: General Rule Exclusion (State Guidelines, Section 15061(b)(3)). Referred to Housing and Land Use Committee.

File 146-96-026. [State Allocation, Tuberculosis Control Services] Resolution authorizing the Department of Public Health, TB Control Division, to accept and expend an allocation of $37,697, which includes no indirect costs, from the State Department of Health Services to provide collaborative tuberculosis control services; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-96-029.03. [CCSF-IBM Professional Services Contract] Resolution approving the limitation of liability in an agreement for professional services with International Business Machines Corporation who is developing an improved process for dealing with problem management for the Information Services Division. (See Files 172-96-29, 172-96-29.1, and 172-96-29.2) (Controller) Referred to Government Efficiency/Labor Committee.

File 172-96-042. [Tolling Agreement, Alexander Hamilton Post No. 448] Resolution authorizing City Attorney to enter into an agreement with the Alexander Hamilton Post #448 of the American Legion ("Post") to toll the statute of limitations on any claims that the Post may have against the City and County of San Francisco, arising out of alleged discrimination against the Post in the War Memorial Veterans Building. (Also see File 240-96-1). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 172-96-044. [Annual Payment Agreement, CCSF-Port Commission] Resolution approving Annual Payment Agreement between San Francisco Port Commission and City and County of San Francisco, by and through its Board of Supervisors regarding payment of parking fine revenues from Port property. (Port Commission) Referred to Budget Committee.

File 222-96-004. [Civil Service Rule Amendment, Exempt Employment] Resolution approving amendment to Civil Service Commission Rule 14 adding Section 14.46, "Charter limit on certain categories of exempt appointment" adopted by the Civil Service Commission on November 18, 1996 pursuant to Charter Section 10.104. (Civil Service Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that City Attorney prepare owner move-in eviction ordinance to change the minimum time period an owner must live in the property, require the City to send declaration under penalty of perjury statement that they are living in the unit by certified, return receipt letter bi-annually to owner, permit City to send an inspector, provide for illegal owner eviction damages and penalties with specified use of the funds, imposition of criminal penalties, require evicting owner to provide specific information to the rent board and to provide evicted tenant information regarding their rights under the rent control ordinance in multi-lingual form.

By Supervisor Leal, that Budget Analyst continue to work with various departments regarding the substance abuse treatment on demand program to assure that they understand the cost/benefit analysis that we are striving to achieve. For example, some of the departments did not appear to understand how to develop the correct methodology for determining the costs to their departments on dealing with the consequences of not providing drug treatment on demand. A hearing will be scheduled early next year to re-examine the cost/benefit analysis.

By Supervisor Alioto, that City Attorney prepare amendment to general assistance ordinance (Administrative Code Section 20.57(a))to eliminate the grant reduction for individuals in two person families and provide the maximum general assistance grant to eligible individuals in two person families, as well as to single individuals.

By Supervisor Alioto, that City Attorney prepare ordinance that no longer counts loans to general assistance recipients as income.

By Supervisor Ammiano, that City Attorney prepare legislation directing the City Attorney to file an amicus brief on behalf of Proposition 208, Campaign Contribution and Spending Limits, which was approved by the voters by an overwhelming 70 percent and challenged by the anti-choice forces of the State of California.

By Supervisor Bierman, that City Attorney prepare ordinance concerning owner move-in reform and senior housing protection act to limit application of the legislation to owner move-ins in which the notice to quit is served after the effective date of the legislation (30 days after signature by the Mayor).

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Orelia Langston (By the entire Board)
Bernice M. Hemphill (By the entire Board)
Else Reisner (Supervisor Bierman)
John Slattery (Supervisor Bierman)
Selina Bendix (Supervisor Bierman)

File 2-96-48

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:30 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 3, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, December 16, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 91 Number 49

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 16 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Brown, Kaufman, Teng, Yaki - 6.

Noted absent at first roll call:

Supervisors Bierman, Hsieh, Katz, Leal - 4.

Quorum present.

Supervisor Hsieh excused. (See infra.)

Supervisor Bierman was noted present at 2:08 p.m.

Supervisor Katz was noted present at 2:09 p.m.

Supervisor Leal was noted present at 2:19 p.m.

Supervisor Hsieh Excused

The Clerk stated Supervisor Hsieh requested to be excused from attending today's meeting.

Supervisor Ammiano, seconded by Supervisor Brown, moved to excuse Supervisor Hsieh.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Kaufman, Teng, Yaki - 6.

Absent: Supervisors Bierman, Hsieh, Katz, Leal - 4.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Brown, moved that the Journal of Proceedings for Monday, October 15, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Kaufman, Teng, Yaki - 6.

Absent: Supervisors Bierman, Hsieh, Katz, Leal - 4.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Retirement System]
Ordinance appropriating $360,000, Retirement System, of Deferred Compensation Program revenue to salaries, fringe benefits, professional services, other current expenses and services of other departments for the Deferred Compensation Program for fiscal year 1996-97; providing for ratification of action previously taken; placing $103,649 on reserve. (Controller)

File 101-96-18, Ordinance No. 484-96

Finally passed.

[Appropriation, Trial Courts]
Ordinance appropriating $493,100, Trial Courts, from the Court's Special Revenue Fund, for professional services contracts to complete court automation projects in fiscal year 1996-97. (Controller)

File 101-96-21, Ordinance No. 485-96

Finally passed.

Passed for Second Reading

[Appropriation, Department of Human Services]
Ordinance appropriating and rescinding $144,585, Department of Human Services, of salaries for the creation and deletion of five (5) positions, for fiscal year 1996-1997. (Controller)

File 101-96-22, Ordinance No.

Passed for second reading.

[Salary Ordinance Amendment, Department of Human Services] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97) Department of Human Services, reflecting the creation and deletion of five (5) positions; companion measure to File 101-96-22. (Department of Human Services)

File 102-96-5, Ordinance No.

Passed for second reading.

[Appropriation, Board of Supervisors]
Ordinance appropriating $17,626, Board of Supervisors, from the General Fund Reserve for salaries and fringe benefits for the creation of one (1) position for fiscal year 1996-97. (Controller)

File 101-96-26, Ordinance No.

Passed for second reading.

[Salary Ordinance Amendment, Board of Supervisors]
Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996-97) Board of Supervisors, reflecting the creation of one (1) position; companion measure to File 101-96-26. (Department of Human Resources)

File 102-96-7, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport Lease Modification, Continental Airlines]
Ordinance approving retroactively Modification No. 4 of Lease and Use Agreement between Continental Airlines, Inc. and City and County, acting by and through its Airport Commission. (Airport Commission)

File 27-96-14, Ordinance No. 475-96

Finally passed.

[Caroline Jurovic v. CCSF/Nelson Lee, et al.]
Ordinance authorizing settlement of litigation of Caroline Jurovic against the City and County and Nelson Lee by payment of $13,000. (City Attorney)

File 45-96-96, Ordinance No. 476-96

(Municipal Court Case No. 120-470.)

Finally passed.

[Reine Avila v. CCSF]
Ordinance authorizing settlement of litigation of Reine Avila against the City and County by payment of $8,500 plus waiver of San Francisco General Hospital lien of $8,460. (City Attorney)

File 45-96-97, Ordinance No. 477-96

(U.S. District Court No. C-96-0455 CW).

Finally passed.

[Management Agreement, St. Mary's Square Garage]
Ordinance approving form of the St. Mary's Square Garage and 16th and Hoff Garage management agreement and bid documents, and authorizing and urging the Director of Property to advertise an invitation for bids for management of the St. Mary's Square Garage and the 16th and Hoff Garage using the approved bid documents. (Real Estate Department)

File 47-96-12, Ordinance No. 478-96

Finally passed.

[Amendment to MOU, Municipal Attorneys' Association]
Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between the Municipal Attorneys' Association and the City and County providing that all covered employees be placed into full retirement contribution status effective December 28, 1996 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 93-96-32, Ordinance No. 480-96

Finally passed.

[Non-Discrimination in City Contracts-Benefits]
Ordinance amending Chapters 12B and 12C of the Administrative Code, by making certain clarifying amendments, and to provide exceptions to the domestic partners benefits contracting requirements, and providing for suspension of the Domestic Partners Benefits Ordinance until June 1, 1997. (Supervisors Ammiano, Katz, Leal, Alioto, Teng, Brown, Hsieh, Kaufman, Bierman)

File 97-96-33.1, Ordinance No. 481-96

(Amends Sections 12B.1, 12B.2, 12C.1, and 12C.2; Adds Sections 12B.5-1 and 12C.5-1.)

Finally passed.

[Agricultural and Pesticide-Related Activities]
Ordinance amending Administrative Code, to authorize the President of the Board of Supervisors to execute all contracts on behalf of the City and County with respect to the performance of all agricultural and/or pesticide-related activities by or under the jurisdiction of the San Francisco County Agricultural Commissioner. (Department of Agriculture and Weights and Measures)

File 97-96-60, Ordinance No. 483-96

(Amends Section 1.13-3.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Brown, Kaufman, Teng, Yaki - 6.

Absent: Supervisors Bierman, Hsieh, Katz, Leal - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Economic Vitality & Social Policy Committee

Finally Passed

[Translators at Board of Supervisors Meetings]
Ordinance amending Administrative Code, to require that translators be provided at meetings of the full Board of Supervisors and Board of Supervisors' Committees upon request, provided that the request is

made 48 hours before the meeting or by noon of the last business day of the preceding week for Monday or Tuesday meetings; requiring Board review if annual city costs exceed $20,000; providing this ordinance shall expire on December 31, 1998. (Supervisors Teng, Katz, Brown, Bierman)

File 97-96-58, Ordinance No. 482-96

(Amends Section 67.15.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading as Amended

[Garment Manufacturers' Tax Credit]
Ordinance amending Part III, Municipal Code, to grant a tax credit, not to exceed $30,000, against the Payroll Expense Tax and the Business Tax on gross receipts, to garment manufacturers with gross receipts of not more than $5 million that invest in technical equipment work reorganization, or employee training, as specified, operative January 1, 1997, and expiring December 31, 2001. (Supervisors Teng, Bierman, Ammiano, Yaki, Leal, Katz, Brown, Alioto)

File 127-96-4, Ordinance No.

(Fiscal Impact.)

(Adds Sections 906C and 1005.7.)

(December 9, 1996 - Consideration continued to December 16, 1996.)

Supervisor Teng, seconded by Supervisor Yaki, moved an amendment of the whole bearing same title.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

From Government Efficiency and Labor Committee
Without Recommendation

Finally Passed

[Leasing of Property on Treasure Island]
Ordinance authorizing the Mayor, or the Mayor's designee, to enter into leases and other agreements with the Navy of property on Naval Station Treasure Island and in turn subleases and other agreements with third-parties of such property without "competitive bidding", and ratifying certain prior acts. (Mayor, Supervisors Kaufman, Leal)

File 64-96-16, Ordinance No. 479-96

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Teng, Yaki - 6.

Noes: Supervisors Alioto, Ammiano - 2.

Absent: Supervisors Hsieh, Leal - 2.

In connection with the above item, Supervisor Ammiano requested his name be removed as co-sponsor.

Monday, December 16, 1996

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Rent Arbitration Board]
Ordinance appropriating $241,709, Rent Arbitration Board, of Neighborhood Development Special Revenue Funds to salaries, fringe benefits and professional services for data base development and temporary staff for fiscal year 1996-97. (Controller)

File 101-96-23, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Leal - 2.

[Appropriation, Public Library]
Ordinance appropriating $1,601,488, Public Library, for salaries-miscellaneous for fiscal year 1996-97 - $1,257,927 from Public Preservation Fund, $129,977 from the General Fund Reserve and $211,684 from fees and Federal grant revenues and miscellaneous revenues; rescinding $83,600 of membership fees, other contractual services (Library Preservation Fund) and $1,900 of materials and supplies (General Fund). (Controller)

File 101-96-24, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

[Appropriation, Medical Examiner/Coroner]
Ordinance appropriating $18,937, Medical Examiner/Coroner, from General Fund Reserve (Sudden Infant Death Syndrome Revenue) to purchase computer equipment for fiscal year 1996-97. (Controller)

File 101-96-25, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

[Appropriation, Mayor's Office]
Ordinance rescinding $493,006, Mayor's Office, from a capital project for stadium naming rights at Recreation and Park and transferring it to salaries, fringe benefits, travel, training, professional services, materials and supplies, equipment and services of other departments for the creation three (3) positions to review financing and development options for a stadium to replace 3Com Park, for fiscal year 1996-97; placing $360,000 on reserve. (Controller)

File 101-96-27, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 8.

Noes: Supervisor Ammiano - 1.

Absent: Supervisor Hsieh - 1.

[Salary Ordinance Amendment, Mayor's Office]
Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) Mayor's Office, reflecting the creation of three (3) positions; companion measure to File 101-96-27. (Department of Human Resources)

File 102-96-6, Ordinance No.

Ayes: Supervisors Alioto, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 8.

Noes: Supervisor Ammiano - 1.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading as Amended

[Contracted Paratransit Services]
Ordinance approving a revised fare schedule for the San Francisco Municipal Railway's contracts paratransit services. (Public Transportation Commission)

File 7-96-7, Ordinance No.

Supervisor Kaufman, seconded by Supervisor Teng, moved to amend page one, lines 20 and 21 by deleting "pending approval by the Mayor of the Action Plan mandated by the Prop. J. audit"; amend page two, lines one through three by deleting the sentence: "Any increased revenues generated by the proposed fare structure shall be credited to the paratransit program to provide additional paratransit services.".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

Adopted

[Annual Payment Agreement, CCSF-Port Commission]
Resolution approving the Annual Payment Agreement between the Port Commission and City and County, by and through its Board of Supervisors regarding payment of parking fine revenues from Port property. (Port Commission)

File 172-96-44, Resolution No. 1136-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 8.

Noes: Supervisor Ammiano - 1.

Absent: Supervisor Hsieh - 1.

Recommendation of Health, Public Safety and Environment Committee

Rereferred to Committee

[Permit Regulations for Tow Car Companies]
Ordinance amending Police Code, providing regulations for the operation of tow car companies. (Police Commission)

File 121-96-12, Ordinance No.

(Adds Article 30.1., Sections 3050 through 3065.)

Supervisor Leal, seconded by Supervisor Yaki, moved to rerefer to committee with request it be considered at a special meeting December 19, 1996.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to the proposed vacation of the public street easement over a portion of and authorizing the exchange of a former portion of Alameda Street between Treat Avenue and Florida Street.

File 164-96-1.2, Ordinance No.

(Pursuant to Board of Supervisors Resolution No. 1040-96, approved November 26, 1996.)

The privilege of the floor was granted to the following persons:

Judy West; Male speaker, representing property

There being no other speakers, the President closed the public hearing on this item.

From Housing and Land Use Committee "Without Recommendation"

Passed for Second Reading

[Street Vacation/Sale - Portion of Alameda Street]
Ordinance ordering the vacation of the public street easement over a portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 164-96-1.2. (Real Estate Department)

File 164-96-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal, Teng, Yaki - 8.

Noes: Supervisor Katz - 1.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading as Amended

[Sale/Exchange of Property, Alameda Street]
Proposed amendment of the whole entitled, Ordinance authorizing the exchange of a former portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 164-96-1.2, Ordinance No.

(December 9, 1996 - Proposed amendment of the whole bearing same title submitted for Board consideration.)

Supervisor Bierman, seconded by Supervisor Brown, moved the above proposed amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal, Teng, Yaki - 8.

Noes: Supervisor Katz - 1.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Kaufman, Leal, Teng, Yaki - 8.

Noes: Supervisor Katz - 1.

Absent: Supervisor Hsieh - 1.

Proposed New Ballpark Presentation from Mayor

The Honorable Mayor, Willie L. Brown, Jr., appeared and made a presentation on a proposed lease of approximately 12.5 acre site in China Basin for development of the proposed new ballpark for the San Francisco Giants.

The Mayor submitted a communication dated December 16, 1996 transmitting a term sheet which outlines terms for the proposed new ballpark consistent with the policies and purposes of Proposition B approved by the voters of the City and County of San Francisco on March 26, 1996. One of the main features of the proposal is that the Giants franchise will commit to play at the new ballpark for a minimum of 23 seasons after opening day under an agreement directly with the City.

The term sheet will not create any contractually binding obligations on the part of the City. The Board of Supervisors, City Commissions and Redevelopment Agency Commission will retain the absolute discretion to (i) make such modifications to the form of the lease and the ballpark project that are deemed necessary to mitigate significant environmental impacts; (ii) select other feasible alternatives to avoid such impacts; (iii) balance the benefits against unavoidable significant impacts prior to taking final action if such significant impacts cannot otherwise be avoided; or (iv) determine not to proceed with the project.

Upon completion of the environmental review process, a number of Board of Supervisors approvals will be necessary in connection with this project, including adoption of the CEQA findings and approval of amendments to the City's General Plan, amendments to the Rincon-South Beach Redevelopment Plan, lease agreements, acquisition of the Caltrans parcel, and street vacations. In addition, various approvals by the City Planning Commission, Port Commission and Redevelopment Agency Commission will be necessary before the full proposal comes to you for your consideration. I anticipate that the full proposal will be presented to you in June or July of next year, including a final lease agreement to be negotiated consistent with the principles outlined in the term sheet.

Execution of the term sheet is a significant step in the timely implementation of Proposition B, and I am delighted to be able to present the proposal to you.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Manuel Piez, senior issues, local government;
John Rubanna, air quality, auto pollution;
Leboriae O. Smoore, constitution of the poor, police brutality.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

[Commend SF Firefighters Toy Program]
Resolution commending the San Francisco Firefighters Toy Program for developing the first ever "Santa's Workshop on Wheels". (Supervisors Hsieh, Kaufman, Katz, Leal, Teng, Yaki, Bierman, Brown)

File 6-96-186, Resolution No. 1133-96

(December 9, 1996 - Introduced in Board for consideration on December 16, 1996.)

Adopted.

In connection with the above item, Supervisors Katz, Leal, Teng, Yaki, Bierman, Brown requested to be added as co-sponsors.

[Red Light Violation Fines]
Resolution urging the State Legislature to increase the fine for the moving violation of running a red light to $250.00 and directing the City's Lobbyist to take all reasonable steps to initiate and lobby for such legislation at the earliest possible time and to issue written status reports on the progress of the initiative. (Supervisors Leal, Kaufman, Katz, Teng, Yaki, Bierman, Brown)

File 12-96-48, Resolution No. 1134-96

(December 9, 1996 - Introduced in Board for consideration on December 16, 1996.)

Adopted.

In connection with the above item, Supervisors Katz, Teng, Yaki, Bierman, Brown requested to be added as co-sponsors.

[Welfare Reform Exemption]
Resolution urging the United States Congress and the President to exempt frail elderly from the provisions of the Welfare Reform Bill denying public assistance to legal immigrants. (Supervisors Yaki, Katz, Leal, Teng, Bierman, Brown)

File 13-96-44, Resolution No. 1135-96

(December 9, 1996 - Introduced in Board for consideration on December 16, 1996.)

Adopted.

In connection with the above item, Supervisors Katz, Leal, Teng, Bierman, Brown requested to be added as co-sponsors.

[Labor Issue, San Francisco Symphony]
Resolution urging the San Francisco Symphony to continue payments for medical, dental and vision care insurance for its employees. (Supervisors Alioto, Ammiano, Bierman, Brown, Teng, Yaki, Hsieh, Leal, Katz)

File 176-96-9, Resolution No. 1139-96

(December 9, 1996 - Introduced in Board for consideration on December 16, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Katz requested to be added as co-sponsors.

[Court Appointed Special Advocates]
Resolution approving and acknowledging the submission of a grant application by the San Francisco Court Appointed Special Advocates (SFCASA) to the California Judicial Council in the amount of $20,000. (Supervisors Yaki, Leal)

File 256-96-2, Resolution No. 1137-96

(December 9, 1996 - Introduced in Board for consideration on December 16, 1996.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Bicycle Racks - City Buildings]
Resolution requesting the Department of Real Estate to include required language in all building leases regarding the provision of secure bicycle parking. (Supervisors Katz, Leal, Ammiano, Brown, Bierman, Teng)

File 277-96-2, Resolution No. 1138-96

(December 11, 1996 - Referred to Board for consideration on December 16, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Bicycle Racks - City Buildings]
Resolution requesting the Mayor not to sign leases unless they include required language regarding the provision of secure bicycle parking. (Supervisors Katz, Leal, Ammiano, Brown, Bierman, Teng)

File 277-96-3, Resolution No. 1140-96

(December 11, 1996 - Referred to Board for consideration on December 16, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Final Map]
Motion approving final map of 139 Welsh Street, a live/work condominium project, being a subdivision of Lot 14 in Assessor's Block 3777, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 58-96-42

(December 5, 1996 - Referred to Board for consideration on December 16, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Grievance Settlement, Local 21]
Ordinance implementing settlement of a grievance filed pursuant to the Memorandum of Understanding between the City and county and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 providing for step increases for provisional employees to be effective for the period July 1, 1996 through June 30, 1998. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 093-96-033.

[Coasters, Roller Skates, Skateboards]
Substitute ordinance amending Traffic Code Section 100 governing the use of coasters, roller skates, skateboards and similar devices, to regulate the time and location adults and minors are permitted to use these devices on roadways and sidewalks within the City and County. Supervisor Ammiano presented. Referred to Housing and Land Use Committee.

File 124-96-008.02.

Referred to Board

[State Legislation, SB 4]
Resolution supporting Senate Bill 4, which amends Penal Code Sections 554 and 555.3, relating to trespass. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar December 23, 1996.

File 012-96-049.

[Transbay Terminal-Headwaters Trade]
Resolution opposing the method by which the Transbay Terminal was offered in exchange for land located in the Headwaters Forest and opposing any efforts to use the Transbay Terminal in a manner inconsistent with San Francisco's Transit First Policy. Supervisors Katz, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar December 23, 1996.

File 013-96-039.01.

[Owner Move-in Eviction Review]
Resolution requesting the Rent Board to carefully review all owner move-in evictions since June 1, 1996 and to strictly enforce laws relating to owner move-in evictions. Supervisors Katz, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar December 23, 1996.

File 109-96-002.01.

Referred to Committee

[General Obligation Bonds, Cultural Facilities]
Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of community cultural facilities which include such facilities as the Mission Cultural Center, Bayview Opera House, Center for African and African-American Art and Culture, South of Market Cultural Center, Art Commission Gallery, Gay/Lesbian Cultural Center, and Native American Cultural Center and all other works, property and structures necessary or

convenient for the foregoing purposes, that the estimated cost of $45,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. Supervisor Kaufman presented. Referred to Budget Committee.

File 170-96-011.

[General Obligation Bonds, Educational Facilities]
Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of educational facilities used or to be used by the San Francisco Unified School District or the City College of San Francisco and all works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of $130,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. Supervisors Teng, Katz presented. Referred to Budget Committee.

File 170-96-012.

[General Obligation Bonds, Zoo]
Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: acquisition, construction and/or reconstruction of San Francisco Zoo facilities and properties and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of $48,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. Supervisors Yaki, Kaufman, Bierman, Teng presented. Referred to Budget Committee.

File 170-96-013.

[Proposition 208 Amicus Brief]
Resolution requesting the City Attorney file an amicus brief in support of Proposition 208 (campaign contributions and spending limits) and cooperate fully with legal efforts to defend the proposition. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar December 23, 1996.

File 196-96-002.

Charter Amendments:

Referred to Committee

[Charter Amendment, Retirement Benefits, Police]
Charter amendment (First Draft-skeletal) amending Appendix A8.586 relating to retirement benefits for police officers. Supervisors Katz, Alioto, Brown presented. Referred to Rules Committee.

File 278-96-001.

[Charter Amendment, Clarify Certain 1932 Provisions]
Charter amendment (First Draft-Skeletal) amending various sections to clarify certain provisions carried over from the 1932 Charter. Supervisor Kaufman presented. Referred to Rules Committee.

File 279-96-001.

[Charter Amendment, Public Utilities Commission]
Charter amendment (First Draft) amending Section 16.103 to delete the priority schedule for the expenditure of revenues generated from utilities under jurisdiction of the Public Utilities Commission. Supervisor Kaufman presented. Referred to Rules Committee.

File 280-96-001.

[Charter Amendment, Sports Stadium, Candlestick Pt.]
Charter amendment (First Draft-Skeletal) amending the charter by adding anew section relating to development of a new sports stadium at Candlestick Point. Supervisor Kaufman presented on behalf of Mayor Brown. Referred to Rules Committee.

File 281-96-001.

[Charter Amendment, Financing Sports Stadium]
Charter amendment (First Draft-Skeletal) amending the Charter by adding a new section to provide for the financing of the development of a new sports stadium and any complementary uses, including, but not limited to, a retail or entertainment center, at Candlestick Point. Supervisor Kaufman presented on behalf of Mayor Brown. Referred to Rules Committee.

File 282-96-001.

[Charter Amendment, Candlestick Point Land Use]
Charter amendment (First Draft-Skeletal) amending Section 4.113 to provide for the sale, lease or use of park land at Candlestick Point for any purpose complementary to the development of a new sports stadium, including, by way of example only and without limitation, a retail or entertainment center, and to further provide for any exchange(s) of park land if necessary or appropriate for development of such new sports stadium or complementary uses. Supervisor Kaufman presented on behalf of Mayor Brown. Referred to Rules Committee.

File 283-96-001.

[Charter Amendment, Retirement, Safety Employees]
Charter amendment (First Draft-Skeletal) amending Appendix A8.559-14 and 8.585-14 relating to retirement benefits for safety employees who transferred membership under the retirement system to Sections 8.586 or 8.588 effective July 1, 1980. Supervisors Katz, Alioto, Brown presented. Referred to Rules Committee.

File 286-96-001.

[Charter Amendment, Early Retirement, Police]
Charter amendment (First Draft-Skeletal) amending Appendix A8.559 relating to early retirement benefits for police officers. Supervisors Katz, Alioto, Brown presented. Referred to Rules Committee.

File 287-96-001.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar December 23, 1996.

File 030-96-001.25.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 097-96-065. [Commission on the Aging Membership] Ordinance amending Administrative Code by amending Section 16.6-59 relating to Commission on Aging membership by adding additional specific organizations. (Commission on the Aging) Referred to Budget Committee.

File 101-96-028. [Appropriation, Water Department] Ordinance rescinding and transferring $10,910,000, Water Department, of various capital improvement projects funds to new capital projects (San Andreas Treatment Plant Expansion), for fiscal year 1966-97. RO #96163. (Controller) Referred to Budget Committee.

File 101-96-029. [Appropriation, Department of Human Services] Ordinance appropriating $53,823, Department of Human Services, ($18,591 from Federal Revenue and $35,232 from General Fund Reserve) for salaries, materials and supplies, aid assistance, professional services and services of other departments to support the Welfare Reform Task Force for fiscal year 1996-97; providing for ratification of action previously taken. RO #96129. (Controller) Referred to Government Efficiency/Labor Committee.

File 118-96-008. [Public Health License Fees] Ordinance amending Health Code by amending Sections 258, 451, and 609 relating to license and reinspection fees for the Department of Public Health. (Department of Public Health) Referred to Budget Committee.

File 121-96-014. [Permits, Specialized Motor Vehicles for Hire] Ordinance amending Police Code by amending the definitional section thereof relating to taxicabs, and adding Sections 1148 through 1148.5 providing for the issuance of permits and the operation and regulation of specialized motor vehicles for hire. (Police Commission) Referred to Budget Committee.

File 127-96-010. [Public Health License Fees] Ordinance amending Part III of the San Francisco Municipal Code (Revenue and Finance) by amending Sections 35, 120, 248, 249.1 and 249.7, and 249.13 relating to fees for licenses or permits for inspections by the Department of Public Health. (Department of Public Health) Referred to Budget Committee.

Resolutions Referred to Committee

File 048-96-067. [Settlement of Claim, Golden Eagle Insurance Co.] Resolution approving the settlement of the unlitigated claim of Golden Eagle Insurance Company by payment of $8,176.75. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-068. [Settlement of Claim, Stephen Young] Resolution approving the settlement of the unlitigated claim of Stephen Young by payment of $11,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 115-96-008.02. [Negative Declaration] Resolution adopting final negative declaration, finding and determining that the transit general advertising signs along the Embarcadero, on Jefferson, Jones and Beach Streets, and on King Street between the Embarcadero and Sixth Street will have no significant impact on the environment; and adopting and incorporating findings of final negative declaration; companion measure to Files 115-96-8 115-96-8.1, and 271-96-4. (Planning Department) (Final Negative Declaration adopted and issued 9/9/96.) Referred to Housing and Land Use Committee.

File 146-96-027. [Grant-Private, Corporation for Supportive Housing] Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend retroactively a grant in the amount of $72,000, from the Corporation for Supportive Housing for primary health care and client centered treatment and case management services for the homeless population in San Francisco; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-028. [Grant, Target Cities/SSI Impact Study] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to accept and expend retroactively an augmentation to a grant up to the amount of $437,000 which excludes indirect costs from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs to provide for baseline data collection for the multi-site Target Cities/SSI impact study; waiving indirect costs and providing for action previously taken. (See File 146-93-58). (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 148-96-007. [Environmental Enhancement and Mitigation Grant] Resolution authorizing the Department of Public Works to retroactively apply for, accept, and expend grant funding in the amount of $21,875 from the California Resources Agency to plant 500 trees within the Bernal Heights Neighborhood, waiving indirect costs. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 156-96-003. [PIC 1996 Refugee County Plan Modification] Resolution requesting approval of modifications to the Refugee County Plan to incorporate Targeted Assistance Discretionary Grant funds and rollover funds from Federal Fiscal Year 1995. (See Files 156-96-1 and 156-96-1.1) (Private Industry Council) Referred to Government Efficiency/Labor Committee.

File 271-96-004. [General Advertising Signs, The Embarcadero] Resolution approving amendments to the San Francisco General Plan to allow general advertising signs on transit boarding platforms and transit shelters in the areas subject to the Northeastern Waterfront Plan and Mission Bay Plan, and on public service kiosks in the area subject to the Northeastern Waterfront Plan (Planning File No. 96.410M); companion measure to Files 115-96-8, 115-96-8.1, and 115-96-8.2. (Planning Department) (Planning Commission Resolution 14240 recommending approval of the General Plan amendments, adopted 11/21/96.) Referred to Housing and Land Use Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that City Attorney amend the bicycle rack Ordinance No. 31-96 to require compliance.

By Supervisor Katz, that letter of inquiry be sent to Real Estate Department requesting a list of all leases entered into since the bicycle rack Ordinance No. 31-96 went into effect.

By Supervisors Leal, Kaufman, that City Attorney analyze and draft appropriate legislation concerning ballot measure procedural reforms.

By Supervisor Yaki, that City Attorney investigate and if appropriate, prepare legislation which would create local hiring preference for Redevelopment projects.

By Supervisor Ammiano, that City Attorney draft ordinance which would amend Ordinance 401-96, pesticide management program, to expand the ban on pesticide use to also apply to lessees and tenants of property of the City and County.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Richard Robert Sorro (By the entire Board)

File 2-96-49

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:35 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 10, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, December 23, 1996

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, December 23, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Yaki - 6.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Leal, Teng - 4.

Quorum present.

Supervisor Alioto was noted present at 2:05 p.m.

Supervisor Hsieh was noted present at 2:04 p.m.

Supervisor Leal was noted present at 2:05 p.m.

Supervisor Teng was noted present at 2:04 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Ammiano seconded by Supervisor Bierman moved that the Journal of Proceedings for Monday, October 21, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Human Services]
Ordinance appropriating and rescinding $144,585, Department of Human Services, of salaries for the creation and deletion of five (5) positions, for fiscal year 1996-1997. (Controller)

File 101-96-22, Ordinance No. 2-97

Finally passed.

[Salary Ordinance Amendment, Department of Human Services] Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) Department of Human Services, reflecting the creation and deletion of five (5) positions; companion measure to File 101-96-22. (Department of Human Services)

File 102-96-5, Ordinance No. 8-97

Finally passed.

[Appropriation, Rent Arbitration Board]
Ordinance appropriating $241,709, Rent Arbitration Board, of Neighborhood Development Special Revenue Funds to salaries, fringe benefits and professional services for data base development and temporary staff for fiscal year 1996-97. (Controller)

File 101-96-23, Ordinance No. 3-97

Finally passed.

[Appropriation, Public Library]
Ordinance appropriating $1,601,488, Public Library, for salaries-miscellaneous for fiscal year 1996-97 - $1,257,927 from Public Preservation Fund, $129,977 from the General Fund Reserve and $211,684 from fees and Federal grant revenues and miscellaneous revenues; rescinding $83,600 of membership fees, other contractual services (Library Preservation Fund) and $1,900 of materials and supplies (General Fund). (Controller)

File 101-96-24, Ordinance No. 4-97

Finally passed.

[Appropriation, Medical Examiner/Coroner]
Ordinance appropriating $18,937, Medical Examiner/Coroner, from General Fund Reserve (Sudden Infant Death Syndrome Revenue) to purchase computer equipment for fiscal year 1996-97. (Controller)

File 101-96-25, Ordinance No. 5-97

Finally passed.

[Appropriation, Board of Supervisors]
Ordinance appropriating $17,626, Board of Supervisors, from the General Fund Reserve for salaries and fringe benefits for the creation of one (1) position for fiscal year 1996-97. (Controller)

File 101-96-26, Ordinance No. 6-97

Finally passed.

[Salary Ordinance Amendment, Board of Supervisors]
Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) Board of Supervisors, reflecting the creation of one (1) position; companion measure to File 101-96-26. (Department of Human Resources)

File 102-96-7, Ordinance No. 10-97

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Kathryne Lee v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Kathryne Lee against the City and County by payment of $7,500. (City Attorney)

File 45-96-98, Ordinance No.

(Superior Court No. 968-315.)

Passed for second reading.

[William Johlie v. CCSF, et al.]
Ordinance authorizing settlement of litigation of William Johlie against the City and County by payment of $25,000. (City Attorney)

File 45-96-99, Ordinance No.

(Superior Court No. 978-208.)

Passed for second reading.

[Gregoria Segado et al., v. CCSF et al.]
Ordinance authorizing settlement of litigation of Gregoria Segado against the City and County by payment of $6,000. (City Attorney)

File 45-96-100, Ordinance No.

(Municipal Court No. 114-402.)

Passed for second reading.

[Grace Ryan v. CCSF et al.]
Ordinance authorizing settlement of litigation of Grace Ryan against the City and County by payment of $70,314.09. (City Attorney)

File 45-96-101, Ordinance No.

(Superior Court No. 973-066.)

Passed for second reading.

[GA Rights Union et al. v. Cahill et al.]
Ordinance authorizing settlement of litigation of GA Rights Union against the City and County by payment of $38,626. (City Attorney)

File 45-96-102, Ordinance No.

(Superior Court No. 973-227.)

Passed for second reading.

[Homer J. Olsen et al. v. CCSF and CH2M Hill]
Ordinance authorizing settlement of litigation of Homer J. Olsen/Ohbayashi Corporation and Brayer/Abbett against the City and County and CH2M Hill by payment of $2,000,000. (City Attorney)

File 45-96-103, Ordinance No.

(Alameda County Superior Court, Northern Division; Docket No. 727093-8.)

Passed for second reading.

Adopted

[Prop J Contract, Security Services]
Resolution concurring with the Controller's certification that uniformed security services can be practically performed for the Public Transportation Commission by a private contractor for a lower cost than similar work services performed by City and County employees. (Public Transportation Commission)

File 25-96-24, Resolution No. 5-97

Adopted.

[Gift Acceptance, Rathmann Family Foundation]
Resolution authorizing acceptance by the Fire Department of a $8,850 contribution from the Rathmann Family Foundation for the Neighborhood Emergency Response Team training program. (Fire Commission)

File 38-96-19, Resolution No. 7-97

Adopted.

[Settlement of Claim, Thomas Willet]
Resolution approving the settlement of the unlitigated claim of Thomas Willet by payment of $7,800.00. (City Attorney)

File 48-96-59, Resolution No. 9-97

Adopted.

[Settlement of Claim, Deanna Weber]
Resolution approving the settlement of the unlitigated claim of Deanna Weber by payment of $8,000.00. (City Attorney)

File 48-96-60, Resolution No. 10-97

Adopted.

[Settlement of Claim, Ercel Rima-Fleurima]
Resolution approving the settlement of the unlitigated claim of Ercel Rima-Fleurima by payment of $6,000.00. (City Attorney)

File 48-96-61, Resolution No. 11-97

Adopted.

[Settlement of Claim, Allstate Insurance]
Resolution approving the settlement of the unlitigated claim of Allstate Insurance Company (Insured: John Klip) by payment of $5,439.53. (City Attorney)

File 48-96-62, Resolution No. 12-97

Adopted.

[Settlement of Claim, Debbie Ellis]
Resolution approving the settlement of the unlitigated claim of Debbie Ellis by payment of $7,000.00. (City Attorney)

File 48-96-63, Resolution No. 13-97

Adopted.

[Settlement of Claim, Michael Walls]
Resolution approving the settlement of the unlitigated claim of Michael Walls by payment of $7,050.00. (City Attorney)

File 48-96-64, Resolution No. 14-97

Adopted.

[Settlement of Claim, Thomas Gerard Murphy]
Resolution approving the settlement of the unlitigated claim of Thomas Gerard Murphy by payment of $30,000. (City Attorney)

File 48-96-65, Resolution No. 15-97

Adopted.

[Settlement of Claim, Susan Colby Meyer]
Resolution approving the settlement of the unlitigated claim of Susan Colby Meyer by payment of $23,500. (City Attorney)

File 48-96-66, Resolution No. 16-97

Adopted.

[Lease of Property to Crystal Springs Golf Partners]
Resolution authorizing a 20-year lease of Water Department land between the City and County and Crystal Springs Golf Partners, L.P., located in the Crystal Springs Watershed, San Mateo, California. (Public Utilities Commission)

File 65-96-13, Resolution No. 18-97

Adopted.

[Transit Shelter Agreement]
Resolution approving assignment of advertising transit shelter agreement to Outdoor Systems, Inc. (Municipal Railway)

File 172-96-40, Resolution No. 23-97

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Monday, December 23, 1996

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Appropriation, Mayor's Office]
Ordinance rescinding $493,006, Mayor's Office, from a capital project for stadium naming rights at Recreation and Park and transferring it to salaries, fringe benefits, travel, training, professional services, materials and supplies, equipment and services of other departments for the creation of three (3) positions to review financing and development options for a stadium to replace 3Com Park, for fiscal year 1996-97; placing $360,000 on reserve. (Controller)

File 101-96-27, Ordinance No. 7-97

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Salary Ordinance Amendment, Mayor's Office]
Ordinance amending Ordinance No. 298-96 (Annual Salary Ordinance, 1996/97) Mayor's Office, reflecting the creation of three (3) positions; companion measure to File 101-96-27. (Department of Human Resources)

File 102-96-6, Ordinance No. 9-97

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Contracted Paratransit Services]
Ordinance approving a revised fare schedule for the San Francisco Municipal Railway's contracts paratransit services. (Public Transportation Commission)

File 7-96-7, Ordinance No. 1-97

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Garment Manufacturers' Tax Credit]
Ordinance amending Part III, Municipal Code, to grant a tax credit, not to exceed $30,000, against the Payroll Expense Tax and the Business Tax on gross receipts, to garment manufacturers with gross receipts of not more than $5 million that invest in technical equipment work reorganization, or employee training, as specified, operative January 1, 1997, and expiring December 31, 2001. (Supervisors Teng, Bierman, Ammiano, Yaki, Leal, Katz, Brown)

File 127-96-4, Ordinance No. 11-97

(Fiscal Impact.)

(Adds Sections 906C and 1005.7.)

(December 16, 1996 - Consideration continued to December 23, 1996.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

From Housing and Land Use Committee "Without Recommendation"

Finally Passed

[Street Vacation/Sale - Portion of Alameda Street]
Ordinance ordering the vacation of the public street easement over a portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 164-96-1.2. (Real Estate Department)

File 164-96-1.1, Ordinance No. 486-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Sale/Exchange of Property, Alameda Street]
Proposed amendment of the whole entitled, Ordinance authorizing the exchange of a former portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 164-96-1.2, Ordinance No. 487-96

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

NEW BUSINESS

Recommendations of Government Efficiency and Labor Committee

Adopted

[Emergency Design Contract]
Resolution authorizing the Director of Health to take necessary measures to protect the health, welfare and public safety of the citizens of San Francisco by performing the necessary work to replace the hot water system at Laguna Honda Hospital. (Supervisors Ammiano, Alioto)

File 28-96-11, Resolution No. 6-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Gift Acceptance, Recreation and Park]
Resolution accepting four gifts valued at $72,300, for use by the Recreation and Park Department. (Supervisor Alioto)

File 38-96-20, Resolution No. 8-97

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

[Employee Claims/Miu Ling Lam]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged or stolen in the line of duty (one claim in the amount of $100.00). (Supervisor Alioto)

File 51-96-2.1, Resolution No. 17-97

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

[Grant, Enhance the Police Communications System]
Resolution authorizing the Chief of Police to retroactively apply for, accept and expend funds in the amount of Five Hundred Thousand Dollars ($500,000.00) for new funding for a project entitled "Program to Enhance the Police Communications System", plus an in-kind match of One Hundred Thousand ($100,000.00) Dollars. (Supervisor Alioto)

File 143-96-10, Resolution No. 20-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

[State Allocation, Tuberculosis Control Services]
Resolution authorizing the Department of Public Health, TB Control Division, to accept and expend an allocation of $34,697, which includes no indirect costs, from the State Department of Health Services to provide collaborative tuberculosis control services; waiving indirect costs. (Supervisor Alioto)

File 146-96-26, Resolution No.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

[CCSF-IBM Professional Services Contract]
Resolution approving the limitation of liability in an agreement for professional services with International Business Machines Corporation who is developing an improved process for dealing with problem management for the Information Services Division, retroactive to July 1, 1996. (Controller)

File 172-96-29.3, Resolution No. 22-97

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[1995-96 Transfer Payment from BART to MUNI]
Resolution approving an agreement between the City and County and the Bay Area Rapid Transit District, authorizing payment to Municipal Railway for transfer trips provided in 1995-96. (Public Transportation Commission)

File 172-96-41, Resolution No. 24-97

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Tolling Agreement, Alexander Hamilton Post No. 448]
Resolution authorizing City Attorney to enter into an agreement with the Alexander Hamilton Post #448 of the American Legion ("Post") to toll the statute of limitations on any claims that the Post may have against the City and County, arising out of alleged discrimination against the Post in the War Memorial Veterans Building, retroactive to October 18, 1996. (Supervisor Alioto)

File 172-96-42, Resolution No. 25-97

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

[Civil Service Rule Amendment, Exempt Employment]
Resolution approving amendment to Civil Service Commission Rule 14 adding Section 14.46, "Charter limit on certain categories of exempt appointment" adopted by the Civil Service Commission on November 18, 1996 pursuant to Charter Section 10.104. (Civil Service Commission)

File 222-96-4, Resolution No. 28-97

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Roadway Acceptance, Tunnel Avenue]
Ordinance accepting for maintenance the roadway, including the curbs, of Tunnel Avenue from the San Francisco-San Mateo County line to 651 feet northerly. (Supervisor Alioto)

File 9-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Changing Width of Sidewalk, Beale Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official sidewalk width on the north side of Beale Street westerly of Harrison Street, as shown on the Department of Public Works drawing labeled Q-20-466 and making findings pursuant to Planning Code Section 101.1. (Supervisor Alioto)

File 34-96-13, Ordinance No.

(Adds Section 1533.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

Adopted

[Encroachment Permit - 2430 Pacific Avenue]
Motion denying the appeal of a decision by the Director of Public Works, which granted the issuance of a Minor Sidewalk Encroachment Permit to construct two planter boxes and a warped driveway ramp, which would encroach into the public-right-of-way fronting the property at 2430 Pacific Avenue, conditioned upon a valid building permit being obtained from the Department of Building Inspection for the construction of the new garage within the basement area of the subject property, and granting the issuance of the requested Minor Encroachment Permit, as conditioned by the Department of Public Works, for the property at 2430 Pacific Avenue. (Supervisor Alioto)

File 24-96-5

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ms. Lowell, supporting Symphony;
Man, expansion of library hours on Sunday.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Katz requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Non-Discrimination - City Contracts]
((Resolution urging the Mayor to require all leases and contracts that extend for a period of two or more years, entered into by the City and County between December 23, 1996 and the effective date of Ordinance 97-96-33.1, to contain a provision requiring compliance with Ordinance 97-96-33.1 prohibiting discrimination in benefits.)) (Supervisors Katz, Ammiano, Leal, Bierman)

Resolution urging the Mayor and Departments of the City and County to include in all leases and contracts covered by Ordinance 97-96-33.1, entered into by the City and County of San Francisco between the effective date of this resolution and the effective date of Ordinance 97-96-33.1 and that extend for a period of two or more years, a provision requiring compliance with Ordinance 97-96-33.1 upon the effective date of the ordinance and urging departments to specifically identify in all legislation that approves leases subject to this resolution whether such leases include the provisions urged by this resolution

File 172-96-47, Resolution No. 26-97

(December 18, 1996 - Referred to Board for adoption without committee reference calendar December 23, 1996.)

Supervisor Katz, seconded by Supervisor Leal, moved an amendment of the whole bearing new title as follows: "Resolution urging the Mayor and Departments of the City and County to include in all leases and contracts covered by Ordinance 97-96-33.1, entered into by the City and County of San Francisco between the effective date of this resolution and the effective date of Ordinance 97-96-33.1 and that extend for a period of two or more years, a provision requiring compliance with Ordinance 97-96-33.1 upon the effective date of the ordinance and urging departments to specifically identify in all legislation that approves leases subject to this resolution whether such leases include the provisions urged by this resolution"

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[State Legislation, SB 4]
Resolution supporting Senate Bill 4, which amends Penal Code Sections 554 and 555.3, relating to trespass. (Supervisors Alioto, Bierman)

File 12-96-49, Resolution No. 29-97

(December 16, 1996 - Introduced in Board for consideration on December 23, 1996.)

Adopted.

[Transbay Terminal-Headwaters Trade]
Resolution opposing the method by which the Transbay Terminal was offered in exchange for land located in the Headwaters Forest and opposing any efforts to use the Transbay Terminal in a manner inconsistent with San Francisco's Transit First Policy. (Supervisors Katz, Ammiano, Bierman)

File 13-96-39.1, Resolution No. 4-97

(December 16, 1996 - Introduced in Board for consideration on December 23, 1996.)

Adopted.

[Owner Move-in Eviction Review]
Resolution requesting the Rent board to carefully review all owner move-in evictions since June 1, 1996 and to strictly enforce laws relating to owner move-in evictions. (Supervisors Katz, Leal, Bierman)

File 109-96-2.1, Resolution No. 19-97

(December 16, 1996 - Introduced in Board for consideration on December 23, 1996.)

Adopted.

[Proposition 208 Amicus Brief]
Resolution requesting the City Attorney file an amicus brief in support of Proposition 208 (campaign contributions and spending limits) and cooperate fully with legal efforts to defend the proposition. (Supervisor Ammiano)

File 196-96-2, Resolution No. 27-97

(December 16, 1996 - Introduced in Board for consideration on December 23, 1996.)

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown)

File 30-96-1.25

(December 16, 1996 - Introduced in Board for consideration on December 23, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

[Imperative Resolution]

Adopted

[Commendation, Herbert H. Gee]
Resolution commending Herbert H. Gee for his service to the Chinese and San Francisco communities and congratulating and thanking him for his two consecutive years of distinguished service as the Chief Executive of the San Francisco Lodge of the Chinese American Citizens Alliance.

File 006-96-187, Resolution No. 3-97

Supervisors Kaufman, Leal, Bierman, Katz, Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning-Motor Vehicle Fuel & Alcoholic Beverages]
Ordinance amending Planning Code by adding Section 229, amending Sections 703.2, 803.2, 803.3 and 803.4 to prohibit establishments that sell motor vehicle fuel concurrent with distilled alcoholic beverages and to require conditional use authorization for establishments that sell motor vehicle fuel concurrent with beer or wine, and making determination of consistency with the priority policies of Planning Code Section 101.1. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 115-96-015.

Referred to Board

[Commending The Honorable Angela Alioto]
Resolution commending the Honorable Angela Alioto for her distinguished service on the Board of Supervisors. Supervisors Ammiano, Bierman, Brown, Hsieh, Katz, Kaufman, Leal, Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar January 6, 1997.

File 006-96-188.

[Commending The Honorable Tom Hsieh]
Resolution commending the Honorable Tom Hsieh for his distinguished service on the Board of Supervisors. Supervisors Alioto, Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar January 6, 1997.

File 006-96-189.

[Airport - International Services Division]
Resolution authorizing the Airport's International Services Division to exercise the powers necessary to allow the Division to promote and market the services of Airport staff to the public and private sectors. Supervisor Kaufman presented. Referred to Budget Committee with request it be considered at the January 15, 1997 meeting.

File 027-96-017.

[Agreement, Sheriff - Interactive Systems]
Resolution authorizing the San Francisco Sheriff's Department to enter into an agreement with Interactive Systems, LLC for VINE, an automated victim notification service, which agreement provides for mutual indemnification from claims or other damages which arises as a result of performance under said agreement. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 6, 1997.

File 172-96-048.01.

[Water Dept.-Bernal Property, Tolling Agreement]
Resolution authorizing City Attorney to modify an agreement with Alameda County and the City of Pleasanton that extends the statute of limitations for lawsuit, if any, related to land use entitlements for the San Francisco Water Department's Bernal property. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 6, 1997.

File 172-96-049.

[Symphony]
Resolution requesting the San Francisco Symphony management remit to professional choristers the wages due them for any concerts and rehearsals canceled by the strike, furthermore, encouraging the management not to take punitive measures against any Symphony employee who may exercise their right to speak out for the musicians in order to show support for the San Francisco Symphony. Supervisors Ammiano, Alioto, Bierman, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar January 6, 1997.

File 176-96-009.01.

Requests for Hearings:

[Public Library Budget]
Hearing to consider the San Francisco Public Library's projected budget shortfall for the fiscal year 1996-97. Supervisors Hsieh, Kaufman, Bierman presented. Referred to Budget Committee with request it be considered at the March 19, 1997 meeting.

File 147-96-008.

[Labor Issues at H & N Fish Co., Pier 45]
Hearing to consider labor issues at H & N Fish Co., Pier 45. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee.

File 176-96-010.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Teng, Hsieh, Ammiano, Yaki, Kaufman, Katz, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar January 6, 1997.

File 030-96-001.26.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-105. [Larry Ackerman, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Larry Ackerman, et al. against the City and County of San Francisco, et al. by payment of $147,956.00. (USDC, Northern District of California No. C95-3883 DLJ) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-96-034. [Grievance Settlement, Local 535] Ordinance authorizing settlement of the grievance filed by SEIU, Local 535 pursuant to the Memorandum of Understanding on behalf of Preston Gilmore against the Department of Human Services in the total amount of Sixty-Eight Thousand Two Hundred Twenty Eight Dollars and Forty Nine Cents ($68,228.49). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 097-96-066. [Conflict of Interest Code] Ordinance amending Chapter 58 of the San Francisco Administrative Code by amending Sections 58.6, 58.7, 58.110, 58.115, 58.130, 58.135, 58.145, 58.150, 58.155, 58.165, 58.180, 58.195, 58.198, 58.201, 58.202, 58.210, 58.220, 58.245, 58.275, 58.280, 58.285, 58.290, 58.310, 58.320, 58.323, 58.325 58.350, 58.357, 58.370, 58.382, 58.383, and 58.390; adding Sections 58.150, 58.198, and 58.201; and deleting section 58.355; to add, delete, and change the titles of designated officials and employees, to reflect organizational and staffing changes made by the City since the Conflict of Interest Code was last reviewed; to refine the disclosure requirements applicable to some designated officials and employees; and to incorporate the new departments and new department names created by the 1996 Charter. (City Attorney) Referred to Rules Committee.

File 101-96-030. [Appropriation, Board of Supervisors] Ordinance appropriating $10,000, Board of Supervisors, from the General Fund Reserve to memberships to join the Urban Counties Caucus, for fiscal year 1996-97. RO #96168. (Controller) Referred to Budget Committee.

File 101-96-031. [Appropriation, Dept of Administrative Services/City Attorney/Controller] Ordinance appropriating $300,000 of Bond Proceeds ($51,415 of 1992 Fire Facility Improvement Bonds- Series 1996C, $103,219 of 1994 School Bonds-Series 1996D; $106,229 of Asian Art Museum Relocation Bonds, Series 1996E and $39,137 of 1989 Earthquake Safety Bonds, Series 1996B) for other current expenses to provide the Department of Administrative Services, City Attorney and Controller with costs of issuance for fiscal year 1996-97. RO #96170. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 027-96-016. [Airport-United Airlines, Inc. Lease] Resolution approving lease between United Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) Referred to Government Efficiency/Labor Committee.

File 048-96-069. [Settlement of Claim, Alexander Laskoff] Resolution approving the settlement of the unlitigated claim of Alexander Laskoff by payment of $24,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 092-96-068. [Appointment, Health Authority Governing Body] Resolution appointing governing body members to the San Francisco Health Authority. (S.F. Health Authority) Referred to Rules Committee.

File 146-96-029. [Hazardous Materials Emergency Response Equipment] Resolution authorizing the Department of Public Health, Bureau of Environmental Health Management to retroactively apply for, accept and expend a grant of $8,500, which includes indirect costs in the amount of $986, based on 11.6 percent of direct costs, from the California Environmental Protection Agency, Department of Toxics Substances Control, for hazardous materials emergency response equipment. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-96-046. [Tolling Agreement] Resolution approving an agreement (555 California Street Partners and the City and County of San Francisco) to suspend the statute of limitations governing time to bring case to trial. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 172-96-048. [Agreement, Sheriff - Interactive Systems] Resolution authorizing the San Francisco Sheriff's Department to enter into an agreement with Interactive Systems, LLC for VINE, an automated victim notification service, which agreement provides for mutual indemnification from claims or other damages which arises as a result of performance under said agreement. (Sheriff) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter of inquiry be sent to the Director of the Office of Citizen Complaints (OCC) regarding the submittal of the required annual Prop G Report.

By Supervisor Ammiano, that City Attorney draft legislation requiring all appointees to any City Board or Commission to have voted in the last election.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Landis Whisler (By the entire Board)
Sam Fractenberg (Supervisor Leal)
Dolores Eleanor Harames (Supervisor Leal)
Ning Chong (Supervisors Teng, Katz)

File 2-96-47

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:30 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 3, 1997.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors